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EDMUND BURKE.

A highly detailed, symmetrical border of stylized flowers and scrolling vines frames the entire text area. The design is reminiscent of 19th-century decorative bookbinding.

EDMUND BURKE

SELECTIONS FROM HIS
POLITICAL WRITINGS
AND SPEECHES

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INTRODUCTION.

BURKE's career is unique in the history both of English literature and of English politics. He was never in a Cabinet, and the highest office he ever held was the modest one of Paymaster-General. He developed early, publishing his *Vindication of Natural Society* at the age of twenty-six, but he did not enter Parliament till he was thirty-five, a late age in those days for one who hoped for a political career. He was admitted to be the most eloquent speaker of his time, but he was certainly not the most effective, and his speeches were prone to empty the House. All his life he stood a little apart from his contemporaries, and his detachment gave him a curious distinction. He was never quite Whig and never quite Tory, but a kind of impersonal magazine of universal truths. He had none of the ordinary political aims, and in a generation of place-hunters scarcely deigned to think of the rewards of office. This detachment gave him immense force as an elevated and infallible mentor, but it made him impossible as a party leader or even as an ordinary politician. His mind and temperament were not quite human. It was as if all his emotions had been universalized, and the whole world viewed 'sub specie aeternitatis.' He hated abstractions

on questions of public economy he was a keen reformer ; but on matters touching the constitution he saw no reason for change merely because a system was indefensible on grounds of pure reason. 'The old building stands well enough, though part Gothic, part Grecian, and part Chinese, until an attempt is made to square it into uniformity. Then, indeed, it may come down upon our heads altogether in much uniformity of ruin, and great will be the fall thereof.'

In the details of his political teaching Burke was not always consistent. In 1770 liberty seemed to him to be the vital conception ; in 1790 he was more enamoured of discipline and order. In his early works he is, in phraseology at least, more democratic. He declared that the House of Lords was a form of popular representation, while later he talked about its original and indefeasible rights. It is possible to harmonize these discrepancies, for they are often different facets of one truth ; but undoubtedly, under the influence of the French Revolution, his mind took on a more conservative colour. It is the later teaching which is his real contribution to the world's thought, for now he is addressing, not an English party, but the whole thinking world. His earlier precepts, admirable as they may be, are too often local and temporal in their application, and to get at their value we must be very clear about his presuppositions. But his later doctrines are less an exposition of a party creed than of an eternal attitude of the human mind. Liberty without content is a barren dogma ;

it must be a 'manly, moral, and regulated liberty.' It is order and discipline that bind a state together. Civilization is no gift of Nature to man; it is man's creation, and if the cohesive powers of Law be weakened, little will remain for Right. In politics we must look at facts and their historical relations, not at vague rules of reason or the speculations of theorists. Whatever is, has the presumption of right in its favour; and before we alter it, let us be careful that we are altering in accordance with the organic conception of the state. Such, in a few sentences, is the gist of Burke's philosophy; but never was a doctrine dressed in more imperial robes. He is the most eloquent of English prose writers; for not only has each sentence its perfect rhythm, but the great argument rolls in a noble cadence to its climax. His wealth of fancy, his learning, his command of splendid and apposite images are inexhaustible. He is the 'fullest' of thinkers, not only in thought and knowledge, but in mastery of golden and melodious words.

Long ago Burke lost all party character. Even before his death he was regarded as an armoury from which both sides could draw their shafts. Erskine, who differed violently from him on the subject of Irish policy, could declare that he viewed Burke 'as upon an eminence too high to be approached.' Canning owed to him nearly all the philosophical equipment which was at once his power and his weakness. Disraeli is, at his best, simply Burke with a more modern accent, and his extravagances, like his speech at Oxford in 1864,

are often singularly like the extravagances of his master. But, indeed, the thought of Burke is so woven into all English creeds that it is hard to say where his influence begins or ends. Gladstone, whose standpoint was ethical rather than historical, and who in many ways is Burke's antithesis, has a hundred passages of which the spirit and even the phrasing are due to this immense and enduring inspiration.

It is specially difficult to select from Burke, for, as Hazlitt said truly, the only selections are all he wrote. It is hoped that the present volume will give the reader some idea of Burke's political teaching on the three subjects with which he was mainly concerned—the British Constitution, the British Empire (in the controversy with America), and the true relation of theory to practice in statesmanship, as exemplified in his *Reflections on the French Revolution*. This work has been included in preference to the *Letters on a Regicide Peace*, for though the latter is in many ways the more mature and reasoned argument, it is concerned with a particular policy, whereas the former deals with the fundamental antagonism. J. B.

NOTE.—The fullest selection from Burke is that published in the World's Classics (Frowde) in 6 vols. (1s. net each). For the student, the three volumes of Burke's *Select Works* (Oxford: Clarendon Press) may be recommended. The introductions by the Editor, Mr. E. J. Payne, contain an admirable exposition of Burke's thought and influence. For the general history of the time, the works of Lord Stanhope and Lecky are useful, and Macaulay's Essays. The standard biographies are by Sir J. Prior (Bohn, 3s. 6d.), and T. Macknight (3 vols., Chapman and Hall, 50s.). For a criticism of Burke's constitutional doctrines see Professor M'Ilwain's *The High Court of Parliament* (1910, Frowde). Good general criticisms will be found in Lord Morley's *Burke* (Macmillan, 4s.), and very notably in Hazlitt's *Political Essays*. A complete edition of Burke's works is published in Bohn's Library of Standard Authors (6 vols., 3s. 6d. each).

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BOOK I.

THE GOVERNANCE OF BRITAIN.



I.

THE TRUE DEMOCRACY.

[From *Thoughts on the Causes of the Present Discontents* (1770.)]

I AM not one of those who think that the people are never in the wrong. They have been so, frequently and outrageously, both in other countries and in this. But I do say, that in all disputes between them and their rulers, the presumption is at least upon a par in favour of the people. Experience may perhaps justify me in going farther. When popular discontents have been very prevalent, it may well be affirmed and supported, that there has been generally something found amiss in the constitution, or in the conduct of government. The people have no interest in disorder. When they do wrong, it is their error, and not their crime. But with the governing part of the state, it is far otherwise. They certainly may act ill by design, as well as by mistake. '*Les révolutions qui arrivent dans les grands états ne sont point un effet du hazard, ni du caprice des peuples. Rien ne révolte les grands d'un royaume comme un gouvernement foible et dérangé. Pour la populace, ce n'est jamais par envie d'attaquer qu'elle se soulève, mais par impatience de souffrir.*'* These are the words of a great man; of a minister of state; and a zealous assertor of monarchy. They are applied to the *system of favouritism* which was adopted by Henry III. of France, and to the dreadful con-

* Mém. de Sully, tom. i. p. 133.

sequences it produced. What he says of revolutions, is equally true of all great disturbances. If this presumption in favour of the subjects against the trustees of power be not the more probable, I am sure it is the more comfortable speculation ; because it is more easy to change an administration, than to reform a people.

II.

THE ETHICS OF PARTY.

[From *Observations on a late publication intituled 'The Present State of the Nation'* (1769). The pamphlet was by George Grenville.]

I BELIEVE the instances are exceedingly rare of men immediately passing over a clear marked line of virtue into declared vice and corruption. There are a sort of middle tints and shades between the two extremes ; there is something uncertain on the confines of the two empires which they first pass through, and which renders the change easy and imperceptible. There are even a sort of splendid impositions so well contrived, that, at the very time the path of rectitude is quitted for ever, men seem to be advancing into some higher and nobler road of public conduct. Not that such impositions are strong enough in themselves, but a powerful interest, often concealed from those whom it affects, works at the bottom, and secures the operation. Men are thus debauched away from those legitimate connections, which they had formed on a judgment, early perhaps but sufficiently mature, and wholly unbiassed. They do not quit them upon any ground of complaint, for grounds of just complaint may exist, but upon the flattering and most dangerous of all principles, that of mending what is well. Gradually they are habituated

to other company ; and a change in their habitudes soon makes a way for a change in their opinions. Certain persons are no longer so very frightful when they come to be known and to be serviceable. As to their old friends, the transition is easy ; from friendship to civility, from civility to enmity : few are the steps from dereliction to persecution.

People not very well grounded in the principles of public morality find a set of maxims in office ready made for them, which they assume as naturally and inevitably as any of the insignia or instruments of the situation. A certain tone of the solid and practical is immediately acquired. Every former profession of public spirit is to be considered as a debauch of youth, or, at best, as a visionary scheme of unattainable perfection. The very idea of consistency is exploded. The convenience of the business of the day is to furnish the principle for doing it. Then the whole ministerial cant is quickly got by heart. The prevalence of faction is to be lamented. All opposition is to be regarded as the effect of envy and disappointed ambition. All administrations are declared to be alike. The same necessity justifies all their measures. It is no longer a matter of discussion, who or what administration is ; but that administration is to be supported is a general maxim. Flattering themselves that their power is become necessary to the support of all order and government ; everything which tends to the support of that power is sanctified, and becomes a part of the public interest.

Growing every day more formed to affairs, and better knit in their limbs, when the occasion (now the only rule) requires it, they become capable of sacrificing those very persons to whom they had before sacrificed their original friends. It is now only in the ordinary course of business to alter an opinion, or to betray a connection. Frequently relinquishing one set of men and adopting another, they grow into a total indifference to human feeling, as they had before to moral

obligation, until at length no one original impression remains upon their minds ; every principle is obliterated, every sentiment effaced.

In the meantime that power, which all these changes aimed at securing, remains still as tottering and as uncertain as ever. They are delivered up into the hands of those who feel neither respect for their persons nor gratitude for their favours ; who are put about them in appearance to serve, in reality to govern them ; and, when the signal is given, to abandon and destroy them in order to set up some new dupe of ambition, who in his turn is to be abandoned and destroyed. Thus living in a state of continual uneasiness and ferment, softened only by the miserable consolation of giving now and then preferments to those for whom they have no value ; they are unhappy in their situation, yet find it impossible to resign. Until, at length, soured in temper, and disappointed by the very attainment of their ends, in some angry, in some haughty, or some negligent moment, they incur the displeasure of those upon whom they have rendered their very being dependent. Then *perierunt tempora longi servitii* ; they are cast off with scorn ; they are turned out, emptied of all natural character, of all intrinsic worth, of all essential dignity, and deprived of every consolation of friendship. Having rendered all retreat to old principles ridiculous, and to old regards impracticable, not being able to counterfeit pleasure, or to discharge discontent, nothing being sincere, or right, or balanced in their minds, it is more than a chance, that, in the delirium of the last stage of their distempered power, they make an insane political testament, by which they throw all their remaining weight and consequence into the scale of their declared enemies, and the avowed authors of their destruction. Thus they finish their course. Had it been possible that the whole, or even a great part of these effects on their minds, I say nothing of the effect upon their fortunes, could have appeared to

them in their first departure from the right line, it is certain they would have rejected every temptation with horror. The principle of these remarks, like every good principle in morality, is trite; but its frequent application is not the less necessary.

As to others, who are plain, practical men, they have been guiltless at all times of all public pretence. Neither the author nor any one else has reason to be angry with them. They belonged to his friend for their interest; for their interest they quitted him; and when it is their interest, he may depend upon it, they will return to their former connection. Such people subsist at all times, and, though the nuisance of all, are at no time a worthy subject of discussion. It is false virtue and plausible error that do the mischief.

If men come to government with right dispositions, they have not that unfavourable subject which this author represents to work upon. Our circumstances are indeed critical; but then they are the critical circumstances of a strong and mighty nation. If corruption and meanness are greatly spread, they are not spread universally. Many public men are hitherto examples of public spirit and integrity. Whole parties, as far as large bodies can be uniform, have preserved character. However they may be deceived in some particulars, I know of no set of men amongst us, which does not contain persons on whom the nation, in a difficult exigence, may well value itself. Private life, which is the nursery of the commonwealth, is yet in general pure, and on the whole disposed to virtue; and the people at large want neither generosity nor spirit. No small part of that very luxury, which is so much the subject of the author's declamation, but which, in most parts of life, by being well balanced and diffused, is only decency and convenience, has perhaps as many, or more, good than evil consequences attending it. It certainly excites industry, nourishes emulation, and inspires some sense of personal value into all ranks of people. What we want is to establish

more fully an opinion of uniformity, and consistency of character, in the leading men of the state ; such as will restore some confidence to profession and appearance, such as will fix subordination upon esteem. Without this, all schemes are begun at the wrong end. All who join in them are liable to their consequences. All men, who, under whatever pretext, take a part in the formation or the support of systems constructed in such a manner as must, in their nature, disable them from the execution of their duty, have made themselves guilty of all the present distraction, and of the future ruin, which they may bring upon their country.

It is a serious affair, this studied disunion in government. In cases where union is most consulted in the constitution of a Ministry, and where persons are best disposed to promote it, differences, from the various ideas of men, will arise ; and, from their passions, will often ferment into violent heats, so as greatly to disorder all public business. What must be the consequence when the very distemper is made the basis of the constitution ; and the original weakness of human nature is still further enfeebled by art and contrivance ? It must subvert government from the very foundation. It turns our public councils into the most mischievous cabals ; where the consideration is, not how the nation's business shall be carried on, but how those who ought to carry it on shall circumvent each other. In such a state of things, no order, uniformity, dignity, or effect, can appear in our proceedings, either at home or abroad. Nor will it make much difference, whether some of the constituent parts of such an administration are men of virtue or ability, or not ; supposing it possible that such men, with their eyes open, should choose to make a part in such a body.

The effects of all human contrivances are in the hand of Providence. I do not like to answer, as our author so readily does, for the event of any speculation. But sure the nature of our disorders, if anything, must indicate the proper remedy. Men who act steadily on

the principles I have stated may, in all events, be very serviceable to their country ; in one case, by furnishing (if their Sovereign should be so advised) an administration formed upon ideas very different from those which have for some time been unfortunately fashionable. But, if this should not be the case, they may be still serviceable ; for the example of a large body of men, steadily sacrificing ambition to principle, can never be without use. It will certainly be prolific, and draws others to an imitation. *Vera gloria radices agit, atque etiam propagatur.*

III.

THE VALUE OF PARTY.

[From *Thoughts on the Causes of the Present Discontents* (1779).]

I DO not wonder that the behaviour of many parties should have made persons of tender and scrupulous virtue somewhat out of humour with all sorts of connexion in politics. I admit that people frequently acquire in such confederacies a narrow, bigoted, and proscriptive spirit ; that they are apt to sink the idea of the general good in this circumscribed and partial interest. But, where duty renders a critical situation a necessary one, it is our business to keep free from the evils attendant upon it ; and not to fly from the situation itself. If a fortress is seated in an unwholesome air, an officer of the garrison is obliged to be attentive to his health, but he must not desert his station. Every profession, not excepting the glorious one of a soldier, or the sacred one of a priest, is liable to its own particular vices ; which, however, form no argument against those ways of life ; nor are the vices themselves inevitable to every individual in those professions. Of such a nature are connexions in politics ; essen-

tially necessary for the full performance of our public duty, accidentally liable to degenerate into faction. Commonwealths are made of families, free commonwealths of parties also ; and we may as well affirm, that our natural regards and ties of blood tend inevitably to make men bad citizens, as that the bonds of our party weaken those by which we are held to our country.

Some legislators went so far as to make neutrality in party a crime against the state. I do not know whether this might not have been rather to overstrain the principle. Certain it is, the best patriots in the greatest commonwealths have always commended and promoted such connexions. *Idem sentire de republica*, was with them a principal ground of friendship and attachment ; nor do I know any other capable of forming firmer, dearer, more pleasing, more honourable, and more virtuous habitudes. The Romans carried this principle a great way. Even the holding of offices together, the disposition of which arose from chance, not selection, gave rise to a relation which continued for life. It was called *necessitudo sortis* ; and it was looked upon with a sacred reverence. Breaches of any of these kinds of civil relation were considered as acts of the most distinguished turpitude. The whole people was distributed into political societies, in which they acted in support of such interests in the state as they severally affected. For it was then thought no crime to endeavour by every honest means to advance to superiority and power those of your own sentiments and opinions. This wise people was far from imagining that those connexions had no tie and obliged to no duty ; but that men might quit them without shame, upon every call of interest. They believed private honour to be the great foundation of public trust ; that friendship was no mean step towards patriotism ; that he who, in the common intercourse of life, showed he regarded somebody besides himself, when he came to act in a public situation might probably consult some other interest than his own. Never may we become

plus sages que les sages, as the French comedian has happily expressed it, wiser than all the wise and good men who had lived before us. It was their wish, to see public and private virtues, not dissonant and jarring and mutually destructive, but harmoniously combined, growing out of one another in a noble and orderly gradation, reciprocally supporting and supported. In one of the most fortunate periods of our history this country was governed by a *connexion*; I mean the great connexion of Whigs in the reign of Queen Anne. They were complimented upon the principle of this connexion by a poet who was in high esteem with them. Addison, who knew their sentiments, could not praise them for what they considered as no proper subject of commendation. As a poet who knew his business, he could not applaud them for a thing which in general estimation was not highly reputable. Addressing himself to Britain,

Thy favourites grow not up by fortune's sport,
Or from the crimes or follies of a court.
On the firm basis of desert they rise,
From long-tried faith, and friendship's holy ties.

The Whigs of those days believed that the only proper method of rising into power was through hard essays of practised friendship and experimented fidelity. At that time it was not imagined, that patriotism was a bloody idol, which required the sacrifice of children and parents, or dearest connexions in private life, and of all the virtues that rise from those relations. They were not of that ingenious paradoxical morality, to imagine that a spirit of moderation was properly shown in patiently bearing the sufferings of your friends, or that disinterestedness was clearly manifested at the expense of other people's fortune. They believed that no man could act with effect, who did not act in concert; that no man could act in concert, who did not act with confidence; that no men could act with confidence, who were not bound together by common opinions, common affections, and common interests.

These wise men, for such I must call Lord Sunderland, Lord Godolphin, Lord Somers, and Lord Marlborough, were too well principled in these maxims upon which the whole fabric of public strength is built, to be blown off their ground by the breath of every childish talker. They were not afraid that they should be called an ambitious junto; or that their resolution to stand or fall together should, by placemen, be interpreted into a scuffle for places.

Party is a body of men united for promoting by their joint endeavours the national interest upon some particular principle in which they are all agreed. For my part, I find it impossible to conceive, that any one believes in his own politics, or thinks them to be of any weight, who refuses to adopt the means of having them reduced into practice. It is the business of the speculative philosopher to mark the proper ends of government. It is the business of the politician, who is the philosopher in action, to find out proper means towards those ends, and to employ them with effect. Therefore every honourable connexion will avow it is their first purpose, to pursue every just method to put the men who hold their opinions into such a condition as may enable them to carry their common plans into execution, with all the power and authority of the state. As this power is attached to certain situations, it is their duty to contend for these situations. Without a proscription of others, they are bound to give to their own party the preference in all things; and by no means, for private considerations, to accept any offers of power in which the whole body is not included; nor to suffer themselves to be led, or to be controlled, or to be overbalanced, in office or in council, by those who contradict the very fundamental principles on which their party is formed, and even those upon which every fair connexion must stand. Such a generous contention for power, on such manly and honourable maxims, will easily be distinguished from the mean and interested struggle for place and emolument. The very

style of such persons will serve to discriminate them from those numberless impostors, who have deluded the ignorant with professions incompatible with human practice, and have afterwards incensed them by practices below the level of vulgar rectitude.

It is an advantage to all narrow wisdom and narrow morals that their maxims have a plausible air; and, on a cursory view, appear equal to first principles. They are light and portable. They are as current as copper coin; and about as valuable. They serve equally the first capacities and the lowest; and they are, at least, as useful to the worst men as to the best. Of this stamp is the cant of *Not men, but measures*; a sort of charm by which many people get loose from every honourable engagement. When I see a man acting this desultory and disconnected part, with as much detriment to his own fortune as prejudice to the cause of any party, I am not persuaded that he is right; but I am ready to believe he is in earnest. I respect virtue in all its situations; even when it is found in the unsuitable company of weakness. I lament to see qualities, rare and valuable, squandered away without any public utility. But when a gentleman with great visible emoluments abandons the party in which he has long acted, and tells you, it is because he proceeds upon his own judgment; that he acts on the merits of the several measures as they arise; and that he is obliged to follow his own conscience, and not that of others; he gives reasons which it is impossible to controvert, and discovers a character which it is impossible to mistake. What shall we think of him who never differed from a certain set of men until the moment they lost their power, and who never agreed with them in a single instance afterwards? Would not such a coincidence of interest and opinion be rather fortunate? Would it not be an extraordinary cast upon the dice, that a man's connexions should degenerate into faction, precisely at the critical moment when they lose their power, or he accepts a place? When

people desert their connexions, the desertion is a manifest *fact*, upon which a direct simple issue lies; triable by plain men. Whether a *measure* of government be right or wrong, *is no matter of fact*, but a mere affair of opinion, on which men may, as they do, dispute and wrangle without end. But whether the individual *thinks* the measure right or wrong, is a point at still a greater distance from the reach of all human decision. It is therefore very convenient to politicians, not to put the judgment of their conduct on overt-acts, cognizable in any ordinary court, but upon such matter as can be triable only in that secret tribunal, where they are sure of being heard with favour, or where at worst the sentence will be only private whipping.

I believe the reader would wish to find no substance in a doctrine which has a tendency to destroy all test of character as deduced from conduct. He will therefore excuse my adding something more, towards the further clearing up a point, which the great convenience of obscurity to dishonesty has been able to cover with some degree of darkness and doubt.

In order to throw an odium on political connexion these politicians suppose it a necessary incident to it that you are blindly to follow the opinions of your party, when in direct opposition to your own clear ideas; a degree of servitude that no worthy man could bear the thought of submitting to; and such as, I believe, no connexions (except some court factions) ever could be so senselessly tyrannical as to impose. Men thinking freely will, in particular instances, think differently. But still as the greater part of the measures which arise in the course of public business are related to, or dependent on, some great, *leading general principles in government*, a man must be peculiarly unfortunate in the choice of his political company, if he does not agree with them at least nine times in ten. If he does not concur in these general principles upon which the party is founded, and which necessarily draw on a concurrence in their application, he ought from the beginning to

have chosen some other, more conformable to his opinions. When the question is in its nature doubtful, or not very material, the modesty which becomes an individual, and (in spite of our court moralists) that partiality which becomes a well-chosen friendship, will frequently bring on an acquiescence in the general sentiment. Thus the disagreement will naturally be rare ; it will be only enough to indulge freedom, without violating concord, or disturbing arrangement. And this is all that ever was required for a character of the greatest uniformity and steadiness in connexion. How men can proceed without any connexion at all, is to me utterly incomprehensible. Of what sort of materials must that man be made, how must he be tempered and put together, who can sit whole years in parliament, with five hundred and fifty of his fellow-citizens, amidst the storm of such tempestuous passions, in the sharp conflict of so many wits and tempers and characters, in the agitation of such mighty questions, in the discussion of such vast and ponderous interests, without seeing any one sort of men, whose character, conduct, or disposition, would lead him to associate himself with them, to aid and be aided, in any one system of public utility ?

I remember an old scholastic aphorism, which says, ' that the man who lives wholly detached from others must be either an angel or a devil.' When I see in any of these detached gentlemen of our times the angelic purity, power, and beneficence, I shall admit them to be angels. In the meantime we are born only to be men. We shall do enough if we form ourselves to be good ones. It is therefore our business carefully to cultivate in our minds, to rear to the most perfect vigour and maturity, every sort of generous and honest feeling that belongs to our nature. To bring the dispositions that are lovely in private life into the service and conduct of the commonwealth ; so to be patriots, as not to forget we are gentlemen. To cultivate friendships, and to incur enmities. To have both strong, but both selected ; in the one, to be placable ; in the other im-

movable. To model our principles to our duties and our situation. To be fully persuaded that all virtue which is impracticable is spurious ; and rather to run the risk of falling into faults in a course which leads us to act with effect and energy, than to loiter out our days without blame and without use. Public life is a situation of power and energy ; he trespasses against his duty who sleeps upon his watch, as well as he that goes over to the enemy.

There is, however, a time for all things. It is not every conjuncture which calls with equal force upon the activity of honest men ; but critical exigencies now and then arise ; and I am mistaken, if this be not one of them. Men will see the necessity of honest combination ; but they may see it when it is too late. They may embody, when it will be ruinous to themselves, and of no advantage to the country ; when, for want of such a timely union as may enable them to oppose in favour of the laws, with the laws on their side, they may at length find themselves under the necessity of conspiring, instead of consulting. The law, for which they stand, may become a weapon in the hands of its bitterest enemies ; and they will be cast, at length, into that miserable alternative between slavery and civil confusion, which no good man can look upon without horror ; an alternative in which it is impossible he should take either part, with a conscience perfectly at repose. To keep that situation of guilt and remorse at the utmost distance is, therefore, our first obligation. Early activity may prevent late and fruitless violence. As yet we work in the light. The scheme of the enemies of public tranquillity has disarranged, it has not destroyed us.

If the reader believes that there really exists such a faction as I have described ; a faction ruling by the private inclinations of a court, against the general sense of the people ; and that this faction, whilst it pursues a scheme for undermining all the foundations of our freedom, weakens (for the present at least) all the

powers of executory government, rendering us abroad contemptible, and at home distracted ; he will believe also that nothing but a firm combination of public men against this body, and that, too, supported by the hearty concurrence of the people at large, can possibly get the better of it. The people will see the necessity of restoring public men to an attention to the public opinion, and of restoring the constitution to its original principles. Above all, they will endeavour to keep the House of Commons from assuming a character which does not belong to it. They will endeavour to keep that House, for its existence, for its powers, and its privileges, as independent of every other, and as dependent upon themselves, as possible. This servitude is to a House of Commons (like obedience to the divine law) 'perfect freedom.' For if they once quit this natural, rational, and liberal obedience, having deserted the only proper foundation of their power, they must seek a support in an abject and unnatural dependence somewhere else. When, through the medium of this just connexion with their constituents, the genuine dignity of the House of Commons is restored, it will begin to think of casting from it, with scorn, as badges of servility, all the false ornaments of illegal power, with which it has been, for some time, disgraced. It will begin to think of its old office of CONTROL. It will not suffer that last of evils to predominate in the country: men without popular confidence, public opinion, natural connexion, or mutual trust, invested with all the powers of government.

When they have learned this lesson themselves, they will be willing and able to teach the court that it is the true interest of the prince to have but one administration ; and that one composed of those who recommend themselves to their sovereign through the opinion of their country, and not by their obsequiousness to a favourite. Such men will serve their sovereign with affection and fidelity ; because his choice of them, upon such principles, is a compliment to their virtue.

They will be able to serve him effectually ; because they will add the weight of the country to the force of the executory power. They will be able to serve their king with dignity ; because they will never abuse his name to the gratification of their private spleen or avarice. This, with allowances for human frailty, may probably be the general character of a ministry, which thinks itself accountable to the House of Commons ; when the House of Commons thinks itself accountable to its constituents. If other ideas should prevail, things must remain in their present confusion, until they are hurried into all the rage of civil violence or until they sink into the dead repose of despotism.

IV.

THE CURE FOR PARTY.

[From *Thoughts on the Causes of the Present Discontents* (1770).]

OUR constitution stands on a nice equipoise, with steep precipices and deep waters upon all sides of it. In removing it from a dangerous leaning towards one side, there may be a risk of oversetting it on the other. Every project of a material change in a government so complicated as ours, combined at the same time with external circumstances still more complicated, is a matter full of difficulties : in which a considerate man will not be too ready to decide ; a prudent man too ready to undertake ; or an honest man too ready to promise. They do not respect the public nor themselves, who engage for more than they are sure that they ought to attempt, or that they are able to perform. These are my sentiments, weak perhaps, but honest and unbiassed ; and submitted entirely to the opinion of grave men, well-affected to the constitution of their

country, and of experience in what may best promote or hurt it.

Indeed, in the situation in which we stand, with an immense revenue, an enormous debt, mighty establishments, government itself a great banker and a great merchant, I see no other way for the preservation of a decent attention to public interest in the representatives, but *the interposition of the body of the people itself*, whenever it shall appear, by some flagrant and notorious act, by some capital innovation, that these representatives are going to overleap the fences of the law, and to introduce an arbitrary power. This interposition is a most unpleasant remedy. But, if it be a legal remedy, it is intended on some occasion to be used; to be used then only, when it is evident that nothing else can hold the constitution to its true principles.

The distempers of monarchy were the great subjects of apprehension and redress, in the last century; in this, the distempers of parliament. It is not in parliament alone that the remedy for parliamentary disorders can be completed; hardly indeed can it begin there. Until a confidence in government is re-established, the people ought to be excited to a more strict and detailed attention to the conduct of their representatives. Standards for judging more systematically upon their conduct ought to be settled in the meetings of counties and corporations. Frequent and correct lists of the voters in all important questions ought to be procured.

By such means something may be done. By such means it may appear who those are that, by an indiscriminate support of all administrations, have totally banished all integrity and confidence out of public proceedings; have confounded the best men with the worst; and weakened and dissolved, instead of strengthening and compacting, the general frame of government. If any person is more concerned for government and order, than for the liberties of his country; even he is equally concerned to put an end to this course of

indiscriminate support. It is this blind and undistinguishing support that feeds the spring of those very disorders, by which he is frightened into the arms of the faction which contains in itself the source of all disorders, by enfeebling all the visible and regular authority of the state. The distemper is increased by his injudicious and preposterous endeavours, or pretences, for the cure of it.

V.

THE POSITION OF A MEMBER OF PARLIAMENT.

[From Burke's *Speech to the Electors of Bristol* after the poll on November 3, 1774. This passage contains his famous doctrine of the nature of a representative, and his repudiation of any 'mandate' theory.]

I AM sorry I cannot conclude without saying a word on a topic touched upon by my worthy colleague. I wish that topic had been passed by at a time when I have so little leisure to discuss it. But since he has thought proper to throw it out, I owe you a clear explanation of my poor sentiments on that subject.

He tells you that 'the topic of instructions has occasioned much altercation and uneasiness in this city'; and he expresses himself (if I understand him rightly) in favour of the coercive authority of such instructions.

Certainly, gentlemen, it ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him; their opinion high respect; their business unremitted atten-

tion. It is his duty to sacrifice his repose, his pleasures, his satisfactions, to theirs ; and above all, ever, and in all cases, to prefer their interest to his own. But his unbiassed opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you ; to any man, or to any set of men living. These he does not derive from your pleasure ; no, nor from the law and the constitution. They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgment ; and he betrays, instead of serving you, if he sacrifices it to your opinion.

My worthy colleague says, his will ought to be subservient to yours. If that be all, the thing is innocent. If government were a matter of will upon any side, yours, without question, ought to be superior. But government and legislation are matters of reason and judgment, and not of inclination ; and what sort of reason is that, in which the determination precedes the discussion ; in which one set of men deliberate and another decide ; and where those who form the conclusion are perhaps three hundred miles distant from those who hear the arguments ?

To deliver an opinion is the right of all men ; that of constituents is a weighty and respectable opinion, which a representative ought always to rejoice to hear ; and which he ought always most seriously to consider. But *authoritative* instructions, *mandates* issued, which the member is bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the clearest conviction of his judgment and conscience,—these are things utterly unknown to the laws of this land, and which arise from a fundamental mistake of the whole order and tenor of our constitution.

Parliament is not a *congress* of ambassadors from different and hostile interests ; which interests each must maintain, as an agent and advocate, against other agents and advocates ; but parliament is a *deliberative* assembly of *one* nation, with *one* interest, that of the

whole; where, not local purposes, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. You choose a member indeed; but when you have chosen him, he is not member of Bristol, but he is a member of *parliament*. If the local constituent should have an interest, or should form an hasty opinion, evidently opposite to the real good of the rest of the community, the member for that place ought to be as far, as any other, from any endeavour to give it effect. I beg pardon for saying so much on this subject. I have been unwillingly drawn into it; but I shall ever use a respectful frankness of communication with you. Your faithful friend, your devoted servant, I shall be to the end of my life: a flatterer you do not wish for. On this point of instructions, however, I think it scarcely possible we ever can have any sort of difference. Perhaps I may give you too much, rather than too little trouble.

From the first hour I was encouraged to court your favour, to this happy day of obtaining it, I have never promised you anything but humble and persevering endeavours to do my duty. The weight of that duty, I confess, makes me tremble; and whoever well considers what it is, of all things in the world, will fly from what has the least likeness to a positive and precipitate engagement. To be a good member of parliament, is, let me tell you, no easy task; especially at this time, when there is so strong a disposition to run into the perilous extremes of servile compliance or wild popularity. To unite circumspection with vigour, is absolutely necessary; but it is extremely difficult. We are now members for a rich commercial *city*; this city, however, is but a part of a rich commercial *nation*, the interests of which are various, multiform, and intricate. We are members for that great nation, which, however, is itself but part of a great *empire*, extended by our virtue and our fortune to the farthest limits of the east and of the west. All these widespread interests must be considered; must be compared; must be reconciled

if possible. We are members for a *free* country; and surely we all know, that the machine of a free constitution is no simple thing; but as intricate and as delicate as it is valuable. We are members in a great and ancient *monarchy*; and we must preserve religiously the true legal rights of the sovereign, which form the keystone that binds together the noble and well-constructed arch of our empire and our constitution. A constitution made up of balanced powers must ever be a critical thing. As such I mean to touch that part of it which comes within my reach. I know my inability, and I wish for support from every quarter. In particular I shall aim at the friendship, and shall cultivate the best correspondence, of the worthy colleague you have given me.

I trouble you no farther than once more to thank you all; you, gentlemen, for your favours; the candidates, for their temperate and polite behaviour; and the sheriffs, for a conduct which may give a model for all who are in public stations.

VI.

DEMOCRACY AND INDEPENDENCE.

[The peroration of Burke's speech at Bristol in 1780, when he said farewell to his old constituents, with whom he had differed on questions like Irish Trade and the relief for Roman Catholics.]

WE knew beforehand, or we were poorly instructed, that toleration is odious to the intolerant; freedom to oppressors; property to robbers; and all kinds and degrees of prosperity to the envious. We knew that all these kinds of men would gladly gratify their evil dispositions under the sanction of law and religion,

if they could : if they could not, yet, to make way to their objects, they would do their utmost to subvert all religion and all law. This we certainly knew. But knowing this, is there any reason, because thieves break in and steal, and thus bring detriment to you, and draw ruin on themselves, that I am to be sorry that you are in possession of shops, and of warehouses, and of wholesome laws to protect them ? Are you to build no houses, because desperate men may pull them down upon their own heads ? Or, if a malignant wretch will cut his own throat because he sees you give alms to the necessitous and deserving ; shall his destruction be attributed to your charity, and not to his own deplorable madness ? If we repent of our good actions, what, I pray you, is left for our faults and follies ? It is not the beneficence of the laws, it is the unnatural temper which beneficence can fret and sour, that is to be lamented. It is this temper which, by all rational means, ought to be sweetened and corrected. If forward men should refuse this cure, can they vitiate anything but themselves ? Does evil so react upon good, as not only to retard its motion, but to change its nature ? If it can so operate, then good men will always be in the power of the bad ; and virtue, by a dreadful reverse of order, must lie under perpetual subjection and bondage to vice.

As to the opinion of the people, which some think, in such cases, is to be implicitly obeyed ; nearly two years' tranquillity, which followed the act, and its instant imitation in Ireland, proved abundantly, that the late horrible spirit was, in a great measure, the effect of insidious art, and perverse industry, and gross misrepresentation. But suppose that the dislike had been much more deliberate, and much more general than I am persuaded it was—when we know, that the opinions of even the greatest multitudes are the standard of rectitude, I shall think myself obliged to make those opinions the masters of my conscience. But if it may be doubted whether Omnipotence itself is competent to alter the essential constitution of right and wrong, sure

I am, that such *things*, as they and I, are possessed of no such power. No man carries farther than I do the policy of making government pleasing to the people. But the widest range of this politic complaisance is confined within the limits of justice. I would not only consult the interest of the people, but I would cheerfully gratify their humours. We are all a sort of children that must be soothed and managed. I think I am not austere or formal in my nature. I would bear, I would even myself play my part in, any innocent buffooneries to divert them. But I never will act the tyrant for their amusement. If they will mix malice in their sports, I shall never consent to throw them any living, sentient creature whatsoever, no not so much as a kitling, to torment.

‘But if I profess all this impolitic stubbornness, I may chance never to be elected into parliament.’ It is certainly not pleasing to be put out of the public service. But I wish to be a member of parliament, to have my share of doing good and resisting evil. It would therefore be absurd to renounce my objects, in order to obtain my seat. I deceive myself indeed most grossly, if I had not much rather pass the remainder of my life hidden in the recesses of the deepest obscurity, feeding my mind even with the visions and imaginations of such things, than to be placed on the most splendid throne of the universe, tantalized with a denial of the practice of all which can make the greatest situation any other than the greatest curse. Gentlemen, I have had my day. I can never sufficiently express my gratitude to you for having set me in a place, wherein I could lend the slightest help to great and laudable designs. If I have had my share in any measure giving quiet to private property and private conscience ; if by my vote I have aided in securing to families the best possession, peace ; if I have joined in reconciling kings to their subjects, and subjects to their prince ; if I have assisted to loosen the foreign holdings of the citizen, and taught him to look for his protection to the laws of his country, and

for his comfort to the goodwill of his countrymen ;—if I have thus taken my part with the best of men in the best of their actions, I can shut the book ;—I might wish to read a page or two more—but this is enough for my measure.—I have not lived in vain.

VII.

CONSTITUTIONAL REFORM.

[Speech on a motion in the House of Commons, the 7th of May, 1782, for a committee to inquire into the state of the representation of the Commons in Parliament.]

WE have now discovered, at the close of the eighteenth century, that the constitution of England, which for a series of ages had been the proud distinction of this country, always the admiration, and sometimes the envy of the wise and learned in every other nation, we have discovered that this boasted constitution, in the most boasted part of it, is a gross imposition upon the understanding of mankind, an insult to their feelings, and acting by contrivances destructive to the best and most valuable interests of the people. Our political architects have taken a survey of the fabric of the British constitution. It is singular that they report nothing against the crown, nothing against the lords ; but in the House of Commons every thing is unsound ; it is ruinous in every part. It is infested by the dry rot, and ready to tumble about our ears without their immediate help. You know by the faults they find what are their ideas of the alteration. As all government stands upon opinion, they know that the way utterly to destroy it is to remove that opinion, to take away all reverence, all confidence from it ; and then, at the first blast of public discontent and popular tumult, it tumbles to the ground.

In considering this question they who oppose it oppose it on different grounds ; one is, in the nature of a previous question ; that some alterations may be expedient, but that this is not the time for making them. The other is, that no essential alterations are at all wanting : and that neither *now*, nor at *any* time, is it prudent or safe to be meddling with the fundamental principles, and ancient tried usages of our constitution—that our representation is as nearly perfect as the necessary imperfection of human affairs and of human creatures will suffer it to be ; and that it is a subject of prudent and honest use and thankful enjoyment, and not of capitious criticism and rash experiment.

On the other side there are two parties, who proceed on two grounds, in my opinion, as they state them, utterly irreconcilable. The one is juridical, the other political. The one is in the nature of a claim of right on the supposed rights of man as man ; this party desire the decision of a suit. The other ground, as far as I can divine what it directly means, is, that the representation is not so politically framed as to answer the theory of its institution. As to the claim of *right* the meanest petitioner, the most gross and ignorant, is as good as the best ; in some respects his claim is more favourable on account of his ignorance ; his weakness, his poverty, and distress, only add to his titles ; he sues *in forma pauperis* ; he ought to be a favourite of the court. But when the *other* ground is taken, when the question is political, when a new constitution is to be made on a sound theory of government, then the presumptuous pride of didactic ignorance is to be excluded from the counsel in this high and arduous matter, which often bids defiance to the experience of the wisest. The first claims a personal representation, the latter rejects it with scorn and fervour. The language of the first party is plain and intelligible ; they who plead an absolute right cannot be satisfied with any thing short of personal representation, because all *natural* rights must be the rights of individuals ; as by *nature*

there is no such thing as politic or corporate personality ; all these ideas are mere fictions of law, they are creatures of voluntary institution ; men as men are individuals, and nothing else. They, therefore, who reject the principle of natural and personal representation, are essentially and eternally at variance with those who claim it. As to the first sort of reformers, it is ridiculous to talk to them of the British constitution upon any or upon all of its bases ; for they lay it down that every man ought to govern himself, and that where he cannot go himself, he must send his representative ; that all other government is usurpation, and is so far from having a claim to our obedience, it is not only our right but our duty to resist it. Nine-tenths of the reformers argue thus, that is, on the natural right. It is impossible not to make some reflection on the nature of this claim, or avoid a comparison between the extent of the principle and the present object of the demand. If this claim be founded, it is clear to what it goes. The House of Commons, in that light, undoubtedly is no representative of the people, as a collection of individuals. Nobody pretends it, nobody can justify such an assertion. When you come to examine into this claim of right, founded on the right of self-government in each individual, you find the thing demanded infinitely short of the principle of the demand. What ! one-third only of the legislature, and of the government no share at all ? What sort of treaty of partition is this for those who have an inherent right to the whole ? Give them all they ask, and your grant is still a cheat ; for how comes only a third to be their younger children's fortune in this settlement ? How came they neither to have the choice of kings, or lords, or judges, or generals, or admirals, or bishops, or priests, or ministers, or justices of peace ? Why, what have you to answer in favour of the prior rights of the crown and peerage but this—our constitution is a prescriptive constitution ; it is a constitution whose sole authority is, that it has existed time out of mind. It is settled in these

two portions against one, legislatively ; and in the whole of the judicature, the whole of the federal capacity, of the executive, the prudential and the financial administration, in one alone. Nor was your House of Lords and the prerogatives of the crown settled on any adjudication in favour of natural rights, for they could never be so partitioned. Your king, your lords, your judges, your juries, grand and little, are all prescriptive ; and what proves it, is, the disputes not yet concluded, and never near becoming so, when any of them first originated. Prescription is the most solid of all titles, not only to property, but, which is to secure that property, to government. They harmonize with each other, and give mutual aid to one another. It is accompanied with another ground of authority in the constitution of the human mind, presumption. It is a presumption in favour of any settled scheme of government against any untried project, that a nation has long existed and flourished under it. It is a better presumption even of the *choice* of a nation, far better than any sudden and temporary arrangement by actual election. Because a nation is not an idea only of local extent and individual momentary aggregation, but it is an idea of continuity which extends in time as well as in numbers and in space. And this is a choice not of one day, or one set of people, not a tumultuary and giddy choice ; it is a deliberate election of ages and of generations ; it is a constitution made by what is ten thousand times better than choice, it is made by the peculiar circumstances, occasions, tempers, dispositions, and moral, civil, and social habitudes of the people, which disclose themselves only in a long space of time. It is a vestment which accommodates itself to the body. Nor is prescription of government formed upon blind unmeaning prejudices—for man is a most unwise and a most wise being. The individual is foolish. The multitude, for the moment, is foolish when they act without deliberation ; but the species is wise, and when time is given to it, as a species, it almost always acts right.

The reason for the crown as it is, for the lords as they are, is my reason for the commons as they are, the electors as they are. Now if the crown, and the lords, and the judicatures, are all prescriptive, so is the House of Commons of the very same origin, and of no other. We and our electors have their powers and privileges both made and circumscribed by prescription, as much to the full as the other parts; and as such we have always claimed them, and on no other title. The House of Commons is a legislative body corporate by prescription, not made upon any given theory, but existing prescriptively—just like the rest. This prescription has made it essentially what it is, an aggregate collection of three parts, knights, citizens, burgesses. The question is, whether this has been always so, since the House of Commons has taken its present shape and circumstances, and has been an essential operative part of the constitution; which, I take it, it has been for at least five hundred years.

This I resolve to myself in the affirmative: and then another question arises, whether this House stands firm upon its ancient foundations, and is not, by time and accidents, so declined from its perpendicular, as to want the hand of the wise and experienced architects of the day to set it upright again, and to prop and buttress it up for duration;—whether it continues true to the principles upon which it has hitherto stood;—whether this be *de facto* the constitution of the House of Commons, as it has been since the time that the House of Commons has, without dispute, become a necessary and an efficient part of the British constitution? To ask whether a thing which has always been the same stands to its usual principle, seems to me to be perfectly absurd; for how do you know the principles but from the construction? and if that remains the same, the principles remain the same. It is true that to say your constitution is what it has been, is no sufficient defence for those who say it is a bad constitution. It is an answer to those who say that it is a degenerate constitu-

tion. To those who say it is a bad one, I answer, look to its effects. In all moral machinery, the moral results are its test.

On what grounds do we go to restore our constitution to what it has been at some given period, or to reform and re-construct it upon principles more conformable to a sound theory of government? A prescriptive government, such as ours, never was the work of any legislator, never was made upon any foregone theory. It seems to me a preposterous way of reasoning, and a perfect confusion of ideas, to take the theories which learned and speculative men have made from that government, and then supposing it made on those theories which were made from it, to accuse the government as not corresponding with them. I do not vilify theory and speculation—no, because that would be to vilify reason itself. *Neque decipitur ratio, neque decipit unquam.* No; whenever I speak against theory, I mean always a weak, erroneous, fallacious, unfounded, or imperfect theory; and one of the ways of discovering that it is a false theory, is by comparing it with practice. This is the true touchstone of all theories which regard man and the affairs of men—does it suit his nature in general;—does it suit his nature as modified by his habits?

The more frequently this affair is discussed, the stronger the case appears to the sense and the feelings of mankind. I have no more doubt than I entertain of my existence that this very thing, which is stated as a horrible thing, is the means of the preservation of our constitution whilst it lasts; of curing it of many of the disorders which, attending every species of institution, would attend the principle of an exact local representation, or a representation on the principle of numbers. If you reject personal representation, you are pushed upon expedience; and then what they wish us to do is, to prefer their speculations on that subject to the happy experience of this country of a growing liberty and a growing prosperity for five hundred years. Whatever

respect I have for their talents, this, for one, I will not do. Then what is the standard of expedience? Expedience is that which is good for the community, and good for every individual in it. Now this expedience is the *desideratum*, to be sought either without the experience of means, or with that experience. If without, as in case of the fabrication of a new commonwealth, I will hear the learned arguing what promises to be expedient; but if we are to judge of a commonwealth actually existing, the first thing I inquire is, what has been *found* expedient or inexpedient? And I will not take their *promise* rather than the *performance* of the constitution.

* * * But no, this was not the cause of the contents. I went through most of the northern parts,—the Yorkshire election was then raging; the year before, through most of the western counties—Bath, Bristol, Gloucester,—not one word, either in the towns or country, on the subject of representation; much on the receipt tax, something on Mr. Fox's ambition; much greater apprehension of danger from thence than from want of representation. One would think that the ballast of the ship was shifted with us, and that our constitution had the gunnel under water. But can you fairly and distinctly point out what one evil or grievance has happened, which you can refer to the representative not following the opinion of his constituents? What one symptom do we find of this inequality? But it is not an arithmetical inequality with which we ought to trouble ourselves. If there be a moral, a political equality, this is the *desideratum* in our constitution, and in every constitution in the world. Moral inequality is as between places and between classes. Now, I ask, what advantage do you find that the places, which abound in representation, possess over others in which it is more scanty, in security for freedom, in security for justice, or in any one of those means of procuring temporal prosperity and eternal happiness, the ends for which society was formed? Are the local interests of

Cornwall and Wiltshire, for instance, their roads, canals, their prisons, their police, better than Yorkshire, Warwickshire, or Staffordshire? Warwick has members; is Warwick or Stafford more opulent, happy, or free, than Newcastle, or than Birmingham? Is Wiltshire the pampered favourite, whilst Yorkshire, like the child of the bond-woman, is turned out to the desert? This is like the unhappy persons who live, if they can be said to live, in the statical chair; who are ever feeling their pulse, and who do not judge of health by the aptitude of the body to perform its functions, but by their ideas of what ought to be the true balance between the several secretions? Is a committee of Cornwall, etc., thronged, and the others deserted? No. You have an equal representation, because you have men equally interested in the prosperity of the whole, who are involved in the general interest and the general sympathy; and, perhaps, these places, furnishing a superfluity of public agents and administrators, (whether in strictness they are representatives or not, I do not mean to inquire, but they are agents and administrators,) will stand clearer of local interests, passions, prejudices, and cabals, than the others, and therefore preserve the balance of the parts, and with a more general view, and a more steady hand, than the rest. * * * * *

In every political proposal we must not leave out of the question the political views and object of the proposer; and these we discover, not by what he says, but by the principles he lays down. I mean, says he, a moderate and temperate reform; that is, I mean to do as little good as possible. If the constitution be what you represent it, and there be no danger in the change, you do wrong not to make the reform commensurate to the abuse. Fine reformer indeed! generous donor! What is the cause of this parsimony of the liberty which you dole out to the people? Why all this limitation in giving blessings and benefits to mankind? You admit that there is an extreme in liberty, which may be infinitely noxious to those who are to receive it,

and which in the end will leave them no liberty at all. I think so too; they know it, and they feel it. The question is then what is the standard of that extreme? What that gentleman, and the associations, or some parts of their phalanxes, think proper? Then our liberties are in their pleasure; it depends on their arbitrary will how far I shall be free. I will have none of that freedom. If, therefore, the standard of moderation be sought for, I will seek for it. Where? Not in their fancies, nor in my own; I will seek for it where I know it is to be found, in the constitution I actually enjoy. Here it says to an encroaching prerogative,—your sceptre has its length, you cannot add a hair to your head, or a gem to your crown, but what an eternal law has given to it. Here it says to an overweening peerage,—your pride finds banks that it cannot overflow: here to a tumultuous and giddy people,—there is a bound to the raging of the sea. Our constitution is like our island, which uses and restrains its subject sea; in vain the waves roar. In that constitution I know, and exultingly I feel, both that I am free, and that I am not free dangerously to myself or to others. I know that no power on earth, acting as I ought to do, can touch my life, my liberty, or my property. I have that inward and dignified consciousness of my own security and independence, which constitutes, and is the only thing which does constitute, the proud and comfortable sentiment of freedom in the human breast. I know too, and I bless God for, my safe mediocrity; I know that, if I possessed all the talents of the gentlemen on the side of the House I sit, and on the other, I cannot by royal favour, or by popular delusion, or by oligarchical cabal, elevate myself above a certain very limited point, so as to endanger my own fall, or the ruin of my country. I know there is an order that keeps things fast in their place; it is made to us, and we are made to it. Why not ask another wife, other children, another body, another mind?

The great object of most of these reformers is to pre-

pare the destruction of the constitution, by disgracing and discrediting the House of Commons. For they think, prudently, in my opinion, that if they can persuade the nation that the House of Commons is so constituted as not to secure the public liberty ; not to have a proper connexion with the public interests ; so constituted, as not either actually or virtually to be the representative of the people, it will be easy to prove that a government composed of a monarchy, an oligarchy chosen by the crown, and such a House of Commons, whatever good can be in such a system, can by no means be a system of free government.

The constitution of England is never to have a quietus; it is to be continually vilified, attacked, reproached, resisted ; instead of being the hope and sure anchor in all storms, instead of being the means of redress to all grievances, itself is the grand grievance of the nation, our shame instead of our glory. If the only specific plan proposed, individual personal representation, is directly rejected by the person who is looked on as the great support of this business, then the only way of considering it is a question of convenience. An honourable gentleman prefers the individual to the present. He therefore himself sees no middle term whatsoever, and therefore prefers of what he sees the individual : this is the only thing distinct and sensible that has been advocated. He has then a scheme, which is the individual representation ; he is not at a loss, not inconsistent—which scheme the other right honourable gentleman reprobates. Now what does this go to, but to lead directly to anarchy ? For to discredit the only government, which he either possesses or can project, what is this but to destroy all government ; and this is anarchy. My right honourable friend, in supporting this motion, disgraces his friends and justifies his enemies, in order to blacken the constitution of his country, even of that House of Commons which supported him. There is a difference between a moral or political exposure of a public evil relative to the administration of govern-

ment, whether in men or systems, and a declaration of defects, real or supposed, in the fundamental constitution of your country. The first may be cured in the individual by the motives of religion, virtue, honour, fear, shame, or interest. Men may be made to abandon also false systems, by exposing their absurdity or mischievous tendency to their own better thoughts or to the contempt or indignation of the public; and after all, if they should exist, and exist uncorrected, they only disgrace individuals as fugitive opinions. But it is quite otherwise with the frame and constitution of the state; if that is disgraced, patriotism is destroyed in its very source. No man has ever willingly obeyed, much less was desirous of defending with his blood, a mischievous and absurd scheme of government. Our first, our dearest, most comprehensive relation, our country, is gone.

It suggests melancholy reflections, in consequence of the strange course we have long held, that we are now no longer quarrelling about the character, or about the conduct of men, or the tenor of measures; but we are grown out of humour with the English constitution itself; this is become the object of the animosity of Englishmen. This constitution in former days used to be the admiration and the envy of the world; it was the pattern for politicians; the theme of the eloquent; the meditation of the philosopher in every part of the world. As to Englishmen, it was their pride, their consolation. By it they lived, for it they were ready to die. Its defects, if it had any, were partly covered by partiality, and partly borne by prudence. Now all its excellences are forgot, its faults are now forcibly dragged into day, exaggerated by every artifice of representation. It is despised and rejected of men; and every device and invention of ingenuity, or idleness, set up in opposition or in preference to it. It is to this humour, and it is to the measures growing out of it, that I set myself (I hope not alone) in the most determined opposition. Never before did we at any time in this country meet upon the theory of our frame of government, to

sit in judgment on the constitution of our country, to call it as a delinquent before us, and to accuse it of every defect and every vice ; to see whether it, an object of our veneration, even our adoration, did or did not accord with a preconceived scheme in the minds of certain gentlemen. Cast your eyes on the journals of parliament. It is for fear of losing the inestimable treasure we have, that I do not venture to game it out of my hands for the vain hope of improving it. I look with filial reverence on the constitution of my country and never will cut it in pieces, and put it into the kettle of any magician, in order to boil it, with the puddle of their compounds, into youth and vigour. On the contrary, I will drive away such pretenders ; I will nurse its venerable age, and with lenient arts extend a parent's breath.

VIII.

THE GROUNDS FOR INTERFERENCE
WITH STANDING RIGHTS.

[From the speech on Fox's East India bill, December 1, 1783.]

To justify us in taking the administration of their affairs out of the hands of the East India Company, on my principles, I must see several conditions. 1st. The object affected by the abuse should be great and important. 2nd. The abuse affecting this great object ought to be a great abuse. 3rd. It ought to be habitual, and not accidental. 4th. It ought to be utterly incurable in the body as it now stands constituted. All this ought to be made as visible to me as the light of the sun before I should strike off an atom of their charter. A

right honourable gentleman * has said, and said I think but once, and that very slightly (whatever his original demand for a plan might seem to require), that 'there are abuses in the company's government.' If that were all, the scheme of the mover of this bill, the scheme of his learned friend, and his own scheme of reformation (if he has any), are all equally needless. There are, and must be, abuses in all governments. It amounts to no more than a nugatory proposition.

IX.

THE LIMITS OF STATE INTERFERENCE.

[From *Thoughts and Details on Scarcity* (1795), a letter addressed to the Prime Minister (Pitt). Burke intended to enlarge it into a work on rural economics, to be addressed to Arthur Young, but the project was never realized.]

It is one of the finest problems in legislation, and what has often engaged my thoughts whilst I followed that profession, 'what the state ought to take upon itself to direct by the public wisdom, and what it ought to leave, with as little interference as possible, to individual discretion.' Nothing, certainly, can be laid down on the subject that will not admit of exceptions, many permanent, some occasional. But the clearest line of distinction which I could draw, whilst I had my chalk to draw any line, was this: that the state ought to confine itself to what regards the state, or the creatures of the state, namely, the exterior establishment of its religion; its magistracy; its revenue; its military force by sea and land; the corporations that owe their ex-

* Mr. Pitt.

istence to its fiat; in a word, to everything that is *truly and properly* public, to the public peace, to the public safety, to the public order, to the public prosperity. In its preventive police it ought to be sparing of its efforts, and to employ means, rather few, unfrequent, and strong, than many, and frequent, and, of course, as they multiply their puny politic race, and dwindle, small and feeble. Statesmen who know themselves will, with the dignity which belongs to wisdom, proceed only in this the superior orb, and first mover of their duty steadily, vigilantly, severely, courageously: whatever remains will, in a manner, provide for itself. But as they descend from the state to a province, from a province to a parish, and from a parish to a private house, they go on accelerated in their fall. They *cannot* do the lower duty; and, in proportion as they try it, they will certainly fail in the higher. They ought to know the different departments of things; what belongs to laws, and what manners alone can regulate. To these, great politicians may give a leaning, but they cannot give a law.

Our legislature has fallen into this fault as well as other governments; all have fallen into it more or less. The once mighty state, which was nearest to us locally, nearest to us in every way, and whose ruins threaten to fall upon our heads, is a strong instance of this error. I can never quote France without a foreboding sigh—ΕΣΕΤΑΙ 'ΗΜΑΡ! Scipio said it to his recording Greek friend amidst the flames of the great rival of his country. That state has fallen by the hands of the parricides of their country, called the revolutionists, and constitutionalists, of France; a species of traitors, of whose fury and atrocious wickedness nothing in the annals of the frenzy and depravation of mankind had before furnished an example, and of whom I can never think or speak without a mixed sensation of disgust, of horror, and of detestation, not easy to be expressed. These nefarious monsters destroyed their country for what was good in it: for much good there was in the con-

stitution of that noble monarchy, which, in all kinds, formed and nourished great men, and great patterns of virtue to the world. But though its enemies were not enemies to its faults, its faults furnished them with means for its destruction. My dear departed friend, whose loss is even greater to the public than to me, had often remarked that the leading vice of the French monarchy (which he had well studied) was in good intention ill-directed, and a restless desire of governing too much. The hand of authority was seen in everything, and in every place. All, therefore, that happened amiss in the course even of domestic affairs, was attributed to the government; and as it always happens in this kind of officious universal interference, what began in odious power ended always, I may say without an exception, in contemptible imbecility. For this reason, as far as I can approve of any novelty, I thought well of the provincial administrations. Those, if the superior power had been severe, and vigilant, and vigorous, might have been of much use politically in removing government from many invidious details. But as everything is good or bad, as it is related or combined, government being relaxed above as it was relaxed below, and the brains of the people growing more and more addle with every sort of visionary speculation, the shiftings of the scene in the provincial theatres became only preparatives to a revolution in the kingdom, and the popular actings there only the rehearsals of the terrible drama of the republic.

Tyranny and cruelty may make men justly wish the downfall of abused powers, but I believe that no government ever yet perished from any other direct cause than its own weakness. My opinion is against an overdoing of any sort of administration, and more especially against this most momentous of all meddling on the part of authority: the meddling with the subsistence of the people.

X.

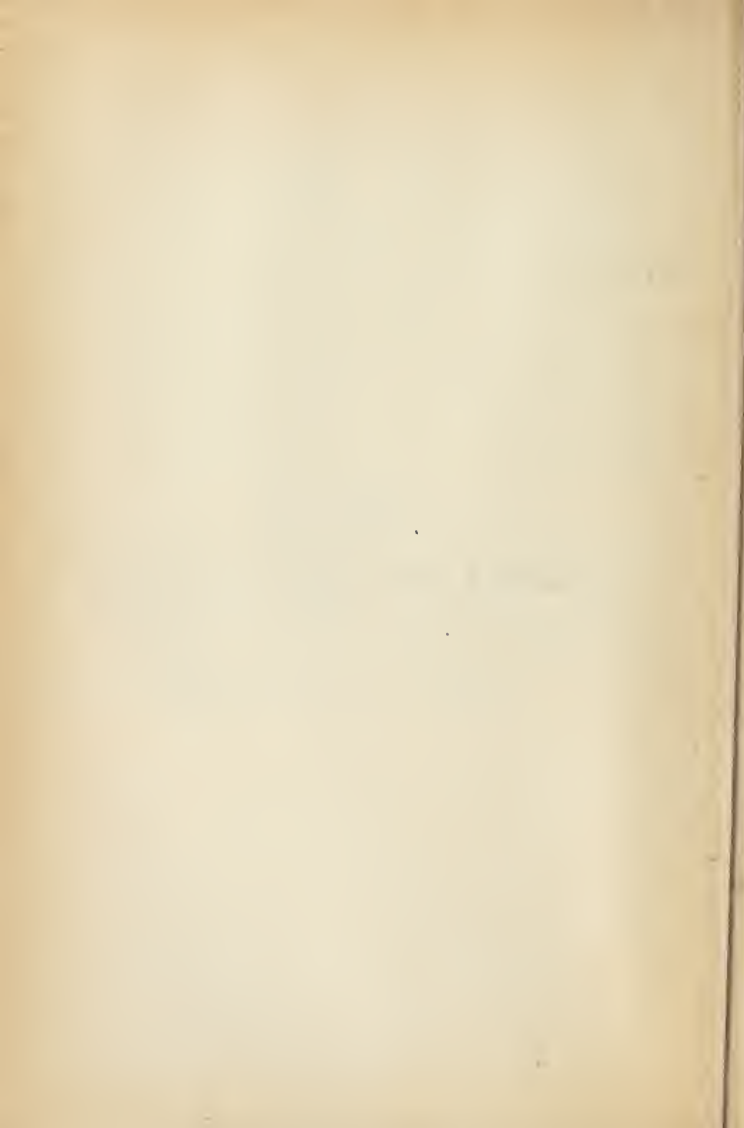
FALSE SENTIMENT AND SOCIAL
POLICIES.

[From *Letters on a Regicide Peace*, No. III., (1797).]

AN untimely shower, or an unseasonable drought ; a frost too long continued, or too suddenly broken up, with rain and tempest ; the blight of the spring, or the smut of the harvest ; will do more to cause the distress of the belly, than all the contrivances of all statesmen can do to relieve it. Let government protect and encourage industry, secure property, repress violence, and discountenance fraud, it is all that they have to do. In other respects, the less they meddle in these affairs the better ; the rest is in the hands of our Master and theirs. We are in a constitution of things wherein—‘ *Modo sol nimius, modo corripit imber.*’ But I will push this matter no further. As I have said a good deal upon it at various times during my public service, and have lately written something on it, which may yet see the light, I shall content myself now with observing, that the vigorous and laborious class of life has lately got, from the *bon ton* of the humanity of this day, the name of the ‘*labouring poor.*’ We have heard many plans for the relief of the ‘*labouring poor.*’ This puling jargon is not as innocent as it is foolish. In meddling with great affairs, weakness is never innocuous. Hitherto the name of poor (in the sense in which it is used to excite compassion) has not been used for those who can, but for those who cannot, labour—for the sick and infirm, for orphan infancy, for languishing and decrepid age ; but when we affect to pity, as poor, those who must labour, or the world cannot exist, we are trifling with the condition of mankind. It is the common doom of man that he must eat his bread by the

sweat of his brow, that is, by the sweat of his body, or the sweat of his mind. If this toil was inflicted as a curse, it is, as might be expected, from the curses of the Father of all blessings ; it is tempered with many alleviations, many comforts. Every attempt to fly from it, and to refuse the very terms of our existence, becomes much more truly a curse ; and heavier pains and penalties fall upon those who would elude the tasks which are put upon them by the great Master Workman of the world, who, in his dealings with his creatures, sympathizes with their weakness, and speaking of a creation wrought by mere will out of nothing, speaks of six days of *labour*, and one of *rest*. I do not call a healthy young man, cheerful in his mind and vigorous in his arms, I cannot call such a man *poor* ; I cannot pity my kind as a kind, merely because they are men. This affected pity only tends to dissatisfy them with their condition, and to teach them to seek resources where no resources are to be found, in something else than their own industry, and frugality, and sobriety. Whatever may be the intention (which because I do not know, I cannot dispute) of those who would discontent mankind by this strange pity, they act towards us, in the consequences, as if they were our worst enemies.

BOOK II.
AMERICA AND THE COLONIES.



I.

REPRESENTATION OF THE COLONIES IN THE BRITISH PARLIAMENT.

[From *Observations on a late Publication entitled 'The Present State of the Nation'* (1769). The 'publication' was written by George Grenville, and directed especially against the Rockingham Whigs, to which Burke belonged.]

Now comes his American representation. Here too, as usual, he takes no notice of any difficulty, nor says anything to obviate those objections that must naturally arise in the minds of his readers. He throws you his politics as he does his revenue; do you make something of them if you can. Is not the reader a little astonished at the proposal of an American representation from that quarter? It is proposed merely as a project of speculative improvement; not from the necessity in the case, not to add anything to the authority of Parliament, but that we may afford a greater attention to the concerns of the Americans, and give them a better opportunity of stating their grievances, and of obtaining redress. I am glad to find the author has at length discovered that we have not given a sufficient attention to their concerns, or a proper redress to their grievances. His great friend would once have been exceedingly displeased with any person who should tell him that he did not attend sufficiently to those concerns. He thought he did so, when he regulated the colonies over and over again: he thought he did so, when he formed two general systems of revenue; one

of port duties, and the other of internal taxation. These systems supposed, or ought to suppose, the greatest attention to, and the most detailed information of, all their affairs. However, by contending for the American representation, he seems at last driven virtually to admit, that great caution ought to be used in the exercise of *all* our legislative rights over an object so remote from our eye, and so little connected with our immediate feelings; that in prudence we ought not to be quite so ready with our taxes, until we can secure the desired representation in Parliament. Perhaps it may be some time before this hopeful scheme can be brought to perfect maturity, although the author seems to be nowise aware of any obstructions that lie in the way of it. He talks of his union, just as he does of his taxes and his savings, with as much *sang froid* and ease as if his wish and the enjoyment were exactly the same thing. He appears not to have troubled his head with the infinite difficulty of settling that representation on a fair balance of wealth and numbers throughout the several provinces of America and the West Indies, under such an infinite variety of circumstances. It costs him nothing to fight with nature, and to conquer the order of Providence, which manifestly opposes itself to the possibility of such a Parliamentary union.

But let us, to indulge his passion for projects and power, suppose the happy time arrived when the author comes into the ministry, and is to realize his speculations. The writs are issued for electing members for America and the West Indies. Some provinces receive them in six weeks, some in ten, some in twenty. A vessel may be lost, and then some provinces may not receive them at all. But let it be that they all receive them at once, and in the shortest time. A proper space must be given for proclamation and for the election; some weeks at least. But the members are chosen; and, if ships are ready to sail, in about six more they arrive in London. In the meantime

the Parliament has sat and business far advanced without American representatives. Nay, by this time it may happen that the Parliament is dissolved; and then the members ship themselves again, to be again elected. The writs may arrive in America before the poor members of a Parliament in which they never sat can arrive at their several provinces. A new interest is formed, and they find other members are chosen whilst they are on the high seas. But, if the writs and members arrive together, here is at best a new trial of skill amongst the candidates, after one set of them have well aired themselves with their two voyages of 6000 miles.

However, in order to facilitate everything to the author, we will suppose them all once more elected, and steering again to Old England, with a good heart, and a fair westerly wind in their stern. On their arrival, they find all in a hurry and bustle; in and out; condolence and congratulation; the Crown is demised. Another Parliament is to be called. Away back to America again on a fourth voyage and to a third election. Does the author mean to make our kings as immortal in their personal as in their politic character? or, whilst he bountifully adds to their life, will he take from them their prerogative of dissolving Parliaments, in favour of the American union? or are the American representatives to be perpetual, and to feel neither demises of the Crown, nor dissolutions of Parliament?

But these things may be granted to him, without bringing him much nearer to his point. What does he think of re-election? is the American member the only one who is not to take a place, or the only one to be exempted from the ceremony of re-election? How will this great politician preserve the rights of electors, the fairness of returns, and the privilege of the House of Commons, as the sole judge of such contests? It would undoubtedly be a glorious sight to have eight or ten petitions, or double returns, from Boston and Bar-

badoes, from Philadelphia and Jamaica, the members returned, and the petitioners, with all their train of attorneys, solicitors, mayors, select men, provost-marshal, and above five hundred or a thousand witnesses, come to the bar of the House of Commons. Possibly we might be interrupted in the enjoyment of this pleasing spectacle if a war should break out, and our constitutional fleet, loaded with members of Parliament, returning officers, petitions, and witnesses, the electors and elected, should become a prize to the French or Spaniards, and be conveyed to Carthage or to La Vera Cruz, and from thence perhaps to Mexico or Lima, there to remain until a cartel for members of Parliament can be settled, or until the war is ended.

In truth, the author has little studied this business ; or he might have known that some of the most considerable provinces of America, such for instance as Connecticut and Massachusetts Bay, have not in each of them two men who can afford, at a distance from their estates, to spend a thousand pounds a year. How can these provinces be represented at Westminster ? If their province pays them, they are American agents, with salaries, and not independent members of Parliament. It is true, that formerly in England members had salaries from their constituents ; but they all had salaries, and were all, in this way, upon a par. If these American representatives have no salaries, then they must add to the list of our pensioners and dependants at Court, or they must starve. There is no alternative.

Enough of this visionary union ; in which much extravagance appears without any fancy, and the judgment is shocked without anything to refresh the imagination. It looks as if the author had dropped down from the moon, without any knowledge of the general nature of this globe, of the general nature of its inhabitants, without the least acquaintance with the affairs of this country. Governor Pownall has handled the same subject. To do him justice, he treats it upon

far more rational principles of speculation ; and much more like a man of business. He thinks (erroneously, I conceive ; but he does think) that our legislative rights are incomplete without such a representation. It is no wonder, therefore, that he endeavours by every means to obtain it. Not like our author, who is always on velvet, he is aware of some difficulties ; and he proposes some solutions. But nature is too hard for both these authors ; and America is, and ever will be, without actual representation in the House of Commons ; nor will any minister be wild enough even to propose such a representation in Parliament ; however, he may choose to throw out that project, together with others equally far from his real opinions and remote from his designs, merely to fall in with the different views, and captivate the affections, of different sorts of men.

II.

SPEECH ON AMERICAN TAXATION.

[Delivered and issued as a pamphlet, 1774.]

DURING the last session of the last parliament, on April 19, 1774, Mr. Rose Fuller, member for Rye, made the following motion : That an act made in the seventh year of the reign of his present majesty, intituled, ' An act for granting certain duties in the British colonies and plantations in America ; for allowing a drawback of the duties of customs upon the exportation from this kingdom of coffee and cocoa nuts, of the produce of the said colonies or plantations ; for discontinuing the drawbacks payable on china earthenware exported to America ; and for more effectually preventing the clandestine running of goods in the said colonies and plantations,' might be read.

And the same being read accordingly ; he moved ' That this House will, upon this day sevennight, resolve itself into a committee of the whole House, to take into consideration the duty of 3*d.* per pound weight upon tea, payable in all his majesty's dominions in America, imposed by the said act ; and also the appropriation of the said duty.'

On this latter motion a warm and interesting debate arose, in which Mr. Burke spoke as follows :

SIR,

I agree with the honourable gentleman* who spoke last that this subject is not new in this House. Very disagreeably to this House, very unfortunately to this nation, and to the peace and prosperity of this whole empire, no topic has been more familiar to us. For nine long years, session after session, we have been lashed round and round this miserable circle of occasional arguments and temporary expedients. I am sure our heads must turn, and our stomachs nauseate with them. We have had them in every shape ; we have looked at them in every point of view. Invention is exhausted ; reason is fatigued ; experience has given judgment ; but obstinacy is not yet conquered.

The honourable gentleman has made one endeavour more to diversify the form of this disgusting argument. He has thrown out a speech composed almost entirely of challenges. Challenges are serious things ; and as he is a man of prudence as well as resolution, I dare say he has very well weighed those challenges before he delivered them. I had long the happiness to sit at the same side of the House, and to agree with the honourable gentleman on all the American questions. My sentiments, I am sure, are well known to him ; and I thought I had been perfectly acquainted with his. Though I find myself mistaken, he will still permit me to use the privilege of an old friendship ; he will permit me to apply

* Charles Wolfran Cornwall, Esq., lately appointed one of the lords of the treasury.

myself to the House under the sanction of his authority; and, on the various grounds he has measured out, to submit to you the poor opinions which I have formed upon a matter of importance enough to demand the fullest consideration I could bestow upon it.

He has stated to the House two grounds of deliberation; one narrow and simple, and merely confined to the question on your paper; the other more large and more complicated; comprehending the whole series of the parliamentary proceedings with regard to America, their causes, and their consequences. With regard to the latter ground, he states it as useless, and thinks it may be even dangerous, to enter into so extensive a field of inquiry. Yet, to my surprise, he had hardly laid down this restrictive proposition, to which his authority would have given so much weight, when directly, and with the same authority, he condemns it; and declares it absolutely necessary to enter into the most ample historical detail. His zeal has thrown him a little out of his usual accuracy. In this perplexity what shall we do, sir, who are willing to submit to the law he gives us? He has reprobated in one part of his speech the rule he has laid down for debate in the other; and, after narrowing the ground for all those who are to speak after him, he takes an excursion himself, as unbounded as the subject and the extent of his great abilities.

Sir, when I cannot obey all his laws, I will do the best I can. I will endeavour to obey such of them as have the sanction of his example; and to stick to that rule, which, though not consistent with the other, is the most rational. He was certainly in the right when he took the matter largely. I cannot prevail on myself to agree with him in his censure of his own conduct. It is not, he will give me leave to say, either useless or dangerous. He asserts that retrospect is not wise; and the proper, the only proper, subject of inquiry, is 'not how we got into this difficulty, but how we are to get out of it.' In other words, we are, according to him, to consult our invention, and to reject our experience.

The mode of deliberation he recommends is diametrically opposite to every rule of reason, and every principle of good sense established amongst mankind. For that sense and that reason, I have always understood, absolutely to prescribe, whenever we are involved in difficulties from the measures we have pursued, that we should take a strict review of those measures, in order to correct our errors, if they should be corrigible ; or at least to avoid a dull uniformity in mischief, and the unpitied calamity of being repeatedly caught in the same snare.

Sir, I will freely follow the honourable gentleman in his historical discussion, without the least management for men or measures, further than as they shall seem to me to deserve it. But before I go into that large consideration, because I would omit nothing that can give the House satisfaction, I wish to tread the narrow ground to which alone the honourable gentleman, in one part of his speech, has so strictly confined us.

He desires to know, whether, if we were to repeal this tax, agreeably to the proposition of the honourable gentleman who made the motion, the Americans would not take post on this concession, in order to make a new attack on the next body of taxes ; and whether they would not call for a repeal of the duty on wine as loudly as they do now for the repeal of the duty on tea ? Sir, I can give no security on this subject. But I will do all that I can, and all that can be fairly demanded. To the *experience* which the honourable gentleman reprobates in one instant and reverts to in the next ; to that experience, without the least wavering or hesitation on my part, I steadily appeal ; and would to God there was no other arbiter to decide on the vote with which the House is to conclude this day !

When parliament repealed the Stamp Act in the year 1766, I affirm, first, that the Americans did *not* in consequence of this measure call upon you to give up the former parliamentary revenue which subsisted in that country ; or even any one of the articles which compose

it. I affirm also that when, departing from the maxims of that repeal, you revived the scheme of taxation, and thereby filled the minds of the colonists with new jealousy and all sorts of apprehensions, then it was that they quarrelled with the old taxes, as well as the new ; then it was, and not till then, that they questioned all the parts of your legislative power ; and, by the battery of such questions, have shaken the solid structure of this empire to its deepest foundations.

Of those two propositions I shall, before I have done, give such convincing, such damning proof that, however the contrary may be whispered in circles, or bawled in newspapers, they never more will dare to raise their voices in this House. I speak with great confidence. I have reasons for it. The ministers are with me. *They* at least are convinced that the repeal of the Stamp Act had not, and that no repeal can have, the consequences which the honourable gentleman who defends their measures is so much alarmed at. To their conduct, I refer him for a conclusive answer to this objection. I carry my proof irresistibly into the very body of both ministry and parliament ; not on any general reasoning growing out of collateral matter, but on the conduct of the honourable gentleman's ministerial friends on the new revenue itself.

The act of 1767, which grants this tea-duty, sets forth in its preamble, that it was expedient to raise a revenue in America, for the support of the civil government there, as well as for purposes still more extensive. To this support the act assigns six branches of duties. About two years after this act passed, the ministry, I mean the present ministry, thought it expedient to repeal five of the duties, and to leave (for reasons best known to themselves) only the sixth standing. Suppose any person, at the time of that repeal, had thus addressed the minister,* 'Condemning, as you do, the repeal of the Stamp Act, why do you venture to repeal the duties upon glass, paper, and painters' colours? Let your

* Lord North, then chancellor of the exchequer.

pretence for the repeal be what it will, are you not thoroughly convinced that your concessions will produce, not satisfaction, but insolence in the Americans; and that the giving up these taxes will necessitate the giving up of all the rest? This objection was as palatable then as it is now; and it was as good for preserving the five duties as for retaining the sixth. Besides, the minister will recollect, that the repeal of the Stamp Act had but just preceded his repeal; and the ill policy of that measure (had it been so impolitic as it has been represented), and the mischiefs it produced, were quite recent. Upon the principles therefore of the honourable gentleman, upon the principles of the minister himself, the minister has nothing at all to answer. He stands condemned by himself, and by all his associates old and new, as a destroyer, in the first trust of finance, of the revenues: and in the first rank of honour, as a betrayer of the dignity of his country.

Most men, especially great men, do not always know their well-wishers. I come to rescue that noble lord out of the hands of those he calls his friends; and even out of his own. I will do him the justice he is denied at home. He has not been this wicked or imprudent man. He knew that a repeal had no tendency to produce the mischiefs which give so much alarm to his honourable friend. His work was not bad in its principle, but imperfect in its execution; and the motion on your paper presses him only to complete a proper plan, which, by some unfortunate and unaccountable error, he had left unfinished.

I hope, sir, the honourable gentleman who spoke last, is thoroughly satisfied, and satisfied out of the proceedings of ministry on their own favourite act, that his fears from a repeal are groundless. If he is not, I leave him, and the noble lord who sits by him, to settle the matter, as well as they can, together; for if the repeal of American taxes destroys all our government in America—He is the man!—and he is the worst of all the repealers, because he is the last.

But I hear it rung continually in my ears, now and formerly,—‘the preamble! what will become of the preamble, if you repeal this tax?’—I am sorry to be compelled so often to expose the calamities and disgraces of parliament. The preamble of this law, standing as it now stands, has the lie direct given to it by the provisionary part of the act; if that can be called provisionary which makes no provision. I should be afraid to express myself in this manner, especially in the face of such a formidable array of ability as is now drawn up before me, composed of the ancient household troops of that side of the House, and the new recruits from this, if the matter were not clear and indisputable. Nothing but truth could give me this firmness; but plain truth and clear evidence can be beat down by the act, and to read this favourite preamble:

Whereas it is expedient that a revenue should be raised in your majesty's dominions in America, for making a more certain and adequate provision for defraying the charge of the administration of justice, and support of civil government, in such provinces where it shall be found necessary; and towards further defraying the expenses of defending, protecting, and securing the said dominions.

You have heard this pompous performance. Now where is this revenue which is to do all these mighty things? Five-sixths repealed—abandoned—sunk—gone—lost for ever. Does the poor solitary tea-duty support the purposes of this preamble? Is not the supply there stated as effectually abandoned as if the tea-duty had perished in the general wreck? Here, Mr. Speaker, is a precious mockery—a preamble without an act—taxes granted in order to be repealed—and the reasons of the grant still carefully kept up! This is raising a revenue in America! This is preserving dignity in England! If you repeal this tax in compliance with the motion, I readily admit that you lose this fair preamble. Estimate your loss in it. The object of the act is gone already; and all you suffer is the purging the statute-

book of the opprobrium of an empty, absurd, and false recital.

It has been said again and again that the five taxes were repealed on commercial principles. It is so said in the paper in my hand ;* a paper which I constantly carry about ; which I have often used, and shall often use again. What is got by this paltry pretence of commercial principles I know not ; for, if your government in America is destroyed by the *repeal of taxes*, it is of no consequence upon what ideas the repeal is grounded. Repeal this tax too upon commercial principles if you please. These principles will serve as well now as they did formerly. But you know that, either your objection to a repeal from these supposed consequences has no validity, or that this pretence never could remove it. This commercial motive never was believed by any man, either in America, which this letter is meant to soothe, or in England, which it is meant to deceive. It was impossible it should. Because every man, in the least acquainted with the detail of commerce, must know that several of the articles, on which the tax was repealed, were fitter objects of duties than almost any other articles that could possibly be chosen ; without comparison more so than the tea that was left taxed ; as infinitely less liable to be eluded by contraband. The tax upon red and white lead was of this nature. You have, in this kingdom, an advantage in lead that amounts to a monopoly. When you find yourself in this situation of advantage, you sometimes venture to tax even your own export. You did so, soon after the last war ; when, upon this principle, you ventured to impose a duty on coals. In all the articles of American contraband trade, who ever heard of the smuggling of red lead, and white lead ? You might, therefore, well enough, without danger of contraband, and without injury to commerce (if this were the whole consideration) have taxed these commodities. The same may be said of

* Lord Hillsborough's circular letter to the governors of the colonies, concerning the repeal of some of the duties laid in the act of 1767.

glass. Besides, some of the things taxed were so trivial that the loss of the objects themselves, and their utter annihilation out of American commerce, would have been comparatively as nothing. But is the article of tea such an object in the trade of England, as not to be felt, or felt but slightly, like white lead and red lead, and painters' colours? Tea is an object of far other importance. Tea is perhaps the most important object, taking it with its necessary connexions, of any in the mighty circle of our commerce. If commercial principles had been the true motives of the repeal, or had they been at all attended to, tea would have been the last article we should have left taxed for a subject of controversy.

Sir, it is not a pleasant consideration; but nothing in the world can read so awful and so instructive a lesson, as the conduct of ministry in this business, upon the mischief of not having large and liberal ideas in the management of great affairs. Never have the servants of the state looked at the whole of your complicated interests in one connected view. They have taken things by bits and scraps, some at one time and one pretence, and some at another, just as they pressed, without any sort of regard to their relation or dependencies. They never had any kind of system, right or wrong; but only invented occasionally some miserable tale for the day, in order meanly to sneak out of difficulties, into which they had proudly strutted. And they were put to all these shifts and devices, full of meanness and full of mischief, in order to pilfer piecemeal a repeal of an act, which they had not the generous courage, when they found and felt their error, honourably and fairly to disclaim. By such management, by the irresistible operation of feeble councils, so paltry a sum as three-pence in the eyes of a financier, so insignificant an article as tea in the eyes of a philosopher, have shaken the pillars of a commercial empire that circled the whole globe.

Do you forget that, in the very last year, you stood on the precipice of general bankruptcy? Your danger was indeed great. You were distressed in the affairs of

the East India Company; and you well know what sort of things are involved in the comprehensive energy of that significant appellation. I am not called upon to enlarge to you on that danger, which you thought proper yourselves to aggravate, and to display to the world with all the parade of indiscreet declamation. The monopoly of the most lucrative trades, and the possession of imperial revenues, had brought you to the verge of beggary and ruin. Such was your representation—such, in some measure, was your case. The vent of ten millions of this commodity, now locked up by the operation of pounds of an injudicious tax, and rotting in the warehouses of the company, would have prevented all this distress, and all that series of desperate measures which you thought yourselves obliged to take in consequence of it. America would have furnished that vent, which no other part of the world can furnish but America; where tea is next to a necessary of life; and where the demand grows upon the supply. I hope our dear-bought East India committees have done us at least so much good, as to let us know, that, without a more extensive sale of that article, our East India revenues and acquisitions can have no certain connexion with this country. It is through the American trade of tea that your East India conquests are to be prevented from crushing you with their burden. They are ponderous indeed; and they must have that great country to lean upon, or they tumble upon your head. It is the same folly that has lost you at once the benefit of the west and of the east. This folly has thrown open folding-doors to contraband; and will be the means of giving the profits of the trade of your colonies to every nation but yourselves. Never did a people suffer so much for the empty words of a preamble. It must be given up. For on what principle does it stand? This famous revenue stands, at this hour, on all the debate, as a description of revenue not as yet known in all the comprehensive (but too comprehensive) vocabulary of finance—a *preambulary tax*. It is indeed a tax of soph-

istry, a tax of pedantry, a tax of disputation, a tax of war and rebellion, a tax for anything but benefit to the imposers, or satisfaction to the subject.

Well! but whatever it is, gentlemen will force the colonists to take the teas. You will force them? Has seven years' struggle been yet able to force them? Oh, but it seems 'we are in the right.—The tax is trifling—in effect it is rather an exoneration than an imposition; three-fourths of the duty formerly payable on teas exported to America is taken off; the place of collection is only shifted; instead of the retention of a shilling from the drawback here, it is three-pence custom paid in America.' All this, sir, is very true. But this is the very folly and mischief of the act. Incredible as it may seem, you know that you have deliberately thrown away a large duty which you held secure and quiet in your hands, for the vain hope of getting one three-fourths less, through every hazard, through certain litigation, and possibly through war.

The manner of proceeding in the duties on paper and glass, imposed by the same act, was exactly in the same spirit. There are heavy excises on those articles when used in England. On export, these excises are drawn back. But instead of withholding the drawback, which might have been done with ease, without charge, without possibility of smuggling; and instead of applying the money (money already in your hands) according to your pleasure, you began your operations in finance by flinging away your revenue; you allowed the whole drawback on export, and then you charged the duty (which you had before discharged) payable in the colonies; where it was certain the collection would devour it to the bone; if any revenue were ever suffered to be collected at all. One spirit pervades and animates the whole mass.

Could anything be a subject of more just alarm to America, than to see you go out of the plain high road of finance and give up your most certain revenues and your clearest interest, merely for the sake of insulting

your colonies ? No man ever doubted that the commodity of tea could bear an imposition of three-pence. But no commodity will bear three-pence, or will bear a penny, when the general feelings of men are irritated, and two millions of people are resolved not to pay. The feelings of the colonies were formerly the feelings of Great Britain. Theirs were formerly the feelings of Mr. Hampden when called upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune ? No ! but the payment of half twenty shillings, on the principle it was demanded, would have made him a slave. It is the weight of that preamble, of which you are so fond, and not the weight of the duty, that the Americans are unable and unwilling to bear.

It is then, sir, upon the *principle* of this measure, and nothing else, that we are at issue. It is a principle of political expediency. Your act of 1767 asserts that it is expedient to raise a revenue in America ; your act of 1769, which takes away that revenue, contradicts the act of 1767 ; and, by something much stronger than words, asserts that it is not expedient. It is a reflection upon your wisdom to persist in a solemn parliamentary declaration of the expediency of any object, for which, at the same time, you make no sort of provision. And pray, sir, let not this circumstance escape you ; it is very material ; that the preamble of this act, which we wish to repeal, is not *declaratory of right*, as some gentlemen seem to argue it ; it is only a recital of the *expediency* of a certain exercise of a right supposed already to have been asserted ; an exercise you are now contending for by ways and means, which you confess, though they were obeyed, to be utterly insufficient for their purpose. You are therefore at this moment in the awkward situation of fighting for a phantom ; a quiddity ; a thing that wants, not only a substance, but even a name ; for a thing, which is neither abstract right, nor profitable enjoyment.

They tell you, sir, that your dignity is tied to it.

I know not how it happens, but this dignity of yours is a terrible incumbrance to you ; for it has of late been ever at war with your interest, your equity, and every idea of your policy. Show the thing you contend for to be reason ; show it to be common sense ; show it to be the means of attaining some useful end ; and then I am content to allow it what dignity you please. But what dignity is derived from the perseverance in absurdity, is more than I ever could discern. The honourable gentleman has said well—indeed, in most of his *general* observations I agree with him—he says, that this subject does not stand as it did formerly. Oh, certainly not ! Every hour you continue on this ill-chosen ground, your difficulties thicken on you ; and therefore my conclusion is, remove from a bad position as quickly as you can. The disgrace, and the necessity of yielding, both of them, grow upon you every hour of your delay.

But will you repeal the act, says the honourable gentleman, at this instant when America is in open resistance to your authority, and that you have just revived your system of taxation ? He thinks he has driven us into a corner. But thus pent up, I am content to meet him ; because I enter the lists supported by my old authority, his new friends, the ministers themselves. The honourable gentleman remembers, that about five years ago as great disturbances as the present prevailed in America on account of the new taxes. The ministers represented these disturbances as treasonable ; and this House thought proper, on that representation, to make a famous address for a revival, and for a new application of a statute of Henry VIII. We besought the king, in that well-considered address, to inquire into treasons, and to bring the supposed traitors from America to Great Britain for trial. His majesty was pleased graciously to promise a compliance with our request. All the attempts from this side of the House to resist these violences, and to bring about a repeal, were treated with the utmost scorn. An apprehension of the very

consequences now stated by the honourable gentleman, was then given as a reason for shutting the door against all hope of such an alteration. And so strong was the spirit for supporting the new taxes that the session concluded with the following remarkable declaration. After stating the vigorous measures which had been pursued, the speech from the throne proceeds :

You have assured me of your firm support in the prosecution of them. Nothing, in my opinion, could be more likely to enable the well-disposed among my subjects in that part of the world, effectually to discourage and defeat the designs of the factious and seditious, than the hearty concurrence of every branch of the legislature, in maintaining the execution of the laws in every part of my dominions.

After this, no man dreamt that a repeal under this ministry could possibly take place. The honourable gentleman knows as well as I, that the idea was utterly exploded by those who sway the House. This speech was made on the ninth day of May, 1769. Five days after this speech, that is, on the thirteenth of the same month, the public circular letter, a part of which I am going to read to you, was written by Lord Hillsborough, secretary of state for the colonies. After reciting the substance of the king's speech, he goes on thus :

'I can take upon me to assure you, notwithstanding insinuations to the contrary, from men with factious and seditious views, that his majesty's present administration have at no time entertained a design to propose to parliament to lay any further taxes upon America, for the purpose of RAISING A REVENUE ; and that it is at present their intention to propose, the next session of parliament, to take off the duties upon glass, paper, and colours, upon consideration of such duties having been laid contrary to the true principles of commerce.

'These have always been, and still are, the sentiments of his majesty's present servants ; and by which their conduct in respect to America has been governed. And his majesty relies upon your prudence and fidelity for

such an explanation of his measures, as may tend to remove the prejudices which have been excited by the misrepresentations of those who are enemies to the peace and prosperity of Great Britain and her colonies; and to re-establish that mutual confidence and affection, upon which the glory and safety of the British empire depend.'

Here, sir, is a canonical book of ministerial scripture; the general epistle to the Americans. What does the gentleman say to it? Here a repeal is promised; promised without condition; and while your authority was actually resisted. I pass by the public promise of a peer relative to the repeal of taxes by this House. I pass by the use of the king's name in a matter of supply, that sacred and reserved right of the Commons. I conceal the ridiculous figure of parliament, hurling its thunders at the gigantic rebellion of America; and then five days after, prostrate at the feet of those assemblies we affected to despise; begging them, by the intervention of our ministerial sureties, to receive our submission, and heartily promising amendment. These might have been serious matters formerly; but we are grown wiser than our fathers. Passing, therefore, from the constitutional consideration to the mere policy, does not this letter imply that the idea of taxing America for the purpose of revenue is an abominable project; when the ministry suppose that none but *factionous* men, and with seditious views, could charge them with it? does not this letter adopt and sanctify the American distinction of *taxing for a revenue*? does it not formally reject all future taxation on that principle? does it not state the ministerial rejection of such principle of taxation, not as the occasional, but the constant opinion of the king's servants? does it not say (I care not how consistently), but does it not say, that their conduct with regard to America has been *always* governed by this policy? It goes a great deal further. These excellent and trusty servants of the king, justly fearful lest they themselves should have lost all credit with the world, bring out the image of their gracious sovereign

from the inmost and most sacred shrine, and they pawn him as a security for their promises.—‘*His majesty relies on your prudence and fidelity for such an explanation of his measures.*’ These sentiments of the minister, and these measures of his majesty, can only relate to the principle and practice of taxing for a revenue; and accordingly Lord Botetourt, stating it as such, did, with great propriety, and in the exact spirit of his instructions, endeavour to remove the fears of the Virginian assembly, lest the sentiments which it seems (unknown to the world) had *always* been those of the ministers, and by which *their* conduct in respect to America had been governed, should by some possible revolution, favourable to wicked American taxes, be hereafter counteracted. He addresses them in this manner:

*It may possibly be objected, that as his majesty's present administration are not immortal, their successors may be inclined to attempt to undo what the present ministers shall have attempted to perform; and to that objection I can give but this answer; that it is my firm opinion, that the plan I have stated to you will certainly take place, and that it will never be departed from; and so determined am I for ever to abide by it, that I will be content to be declared infamous, if I do not, to the last hour of my life, at all times, in all places, and upon all occasions, exert every power with which I either am, or ever shall be legally invested, in order to obtain and maintain for the continent of America that satisfaction which I have been authorised to promise this day, by the confidential servants of our gracious sovereign, who to my certain knowledge rates his honour so high, that he would rather part with his crown, than preserve it by deceit.**

* A material point is omitted by Mr. Burke in this speech, viz., *the manner in which the continent received this royal assurance.* The assembly of Virginia, in their address in answer to Lord Botetourt's speech, express themselves thus: ‘We will not suffer our present hopes, arising from the pleasing prospect your lordship hath so kindly opened and displayed to us, to be dashed by the bitter reflection that any future administration will entertain a wish to depart from that plan which affords the surest and most permanent foundation of public tranquillity and happiness. No, my lord, we are sure our most

A glorious and true character ! which (since we suffer his ministers with impunity to answer for his ideas of taxation) we ought to make it our business to enable his majesty to preserve in all its lustre. Let him have character, since ours is no more ! Let some part of government be kept in respect !

This epistle was not the letter of Lord Hillsborough solely ; though he held the official pen. It was the letter of the noble lord upon the floor,* and of all the king's then ministers, who (with I think the exception of two only) are his ministers at this hour. The very first news that a British government heard of what it was to do with the duties which it had given and granted to the king was by the publication of the votes of American assemblies. It was in America that your resolutions were pre-declared. It was from thence that we knew to a certainty, how much exactly, and not a scruple more or less, we were to repeal. We were unworthy to be let into the secret of our own conduct. The assemblies had *confidential* communication from his majesty's *confidential* servants. We were nothing but instruments. Do you, after this, wonder, that you have no weight and no respect in the colonies ? After this, are you surprised, that parliament is every day and everywhere losing (I feel it with sorrow, I utter it with reluctance) that reverential affection, which so endearing a name of authority ought ever to carry with it ; that you are obeyed solely from respect to the bayonet ; and that this House, the ground and pillar of freedom, is itself held up only by the treacherous under-pinning and clumsy buttresses of arbitrary power ?

If this dignity, which is to stand in the place of just policy and common sense, had been consulted, there was a time for preserving it and for reconciling it with

gracious sovereign, under whatever changes may happen in his *confidential* servants, will remain immutable in the ways of truth and justice, and that he is *incapable of deceiving his faithful subjects* ; and we esteem your lordship's information not only as warranted, but even sanctified by the royal word.'

* Lord North.

any concession. If in the session of 1768, that session of idle terror and empty menaces, you had, as you were often pressed to do, repealed these taxes; then your strong operations would have come justified and enforced, in case your concessions had been returned by outrages. But, preposterously, you began with violence; and before terrors could have any effect, either good or bad, your ministers immediately begged pardon, and promised that repeal to the obstinate Americans, which they had refused in an easy, good-natured, complying British parliament. The assemblies, which had been publicly and avowedly dissolved for *their* contumacy, are called together to receive *your* submission. Your ministerial directors blustered like tragic tyrants here; and then went mumping with a sore leg in America, canting and whining and complaining of faction, which represented them as friends to a revenue from the colonies. I hope nobody in this House will hereafter have the impudence to defend American taxes in the name of ministry. The moment they do, with this letter of attorney in my hand, I will tell them, in the authorized terms, they are wretches, 'with factious and seditious views; enemies to the peace and prosperity of the mother country and the colonies,' and subverters 'of the mutual affection and confidence on which the glory and safety of the British empire depend.'

After this letter, the question is no more on propriety or dignity. They are gone already. The faith of your sovereign is pledged for the political principle. The general declaration in the letter goes to the whole of it. You must therefore either abandon the scheme of taxing; or you must send the ministers tarred and feathered to America, who dared to hold out the royal faith for a renunciation for all taxes for revenue. Then you must punish, or this faith you must preserve. The preservation of this faith is of more consequence than the duties on *red lead*, or *white lead*, or on broken glass, or *atlas-ordinary*, or *demy-fine*, or *blue-royal*, or *bastard*, or *fools-cap*, which you have given up; or the three-pence on

tea which you retained. The letter went stamped with the public authority of this kingdom. The instructions for the colony government go under no other sanction ; and America cannot believe, and will not obey you, if you do not preserve this channel of communication sacred. You are now punishing the colonies for acting on distinctions, held out by that very ministry which is here shining in riches, in favour, and in power ; and urging the punishment of the very offence to which they had themselves been the tempters.

Sir, if reasons respecting simply your own commerce, which is your own convenience, were the sole ground of the repeal of the five duties ; why does Lord Hillsborough, in disclaiming in the name of the king and ministry their ever having had an intent to tax for revenue, mention it as the means ' of re-establishing the confidence and affection of the colonies ? ' Is it a way of soothing *others*, to assure them that you will take good care of *yourself* ? The medium, the only medium, for regaining their affection and confidence, is, that you will take off something oppressive to their minds. Sir, the letter strongly enforces that idea : for though the repeal of the taxes is promised on commercial principles, yet the means of counteracting ' the insinuations of men with factious and seditious views,' is, by a disclaimer of the intention of taxing for revenue, as a constant invariable sentiment and rule of conduct in the government of America.

I remember that the noble lord on the floor, not in a former debate to be sure (it would be disorderly to refer to it, I suppose I read it somewhere), but the noble lord was pleased to say, that he did not conceive how it could enter into the head of man to impose such taxes as those of 1767 ; I mean those taxes which he voted for imposing, and voted for repealing ; as being taxes contrary to all the principles of commerce, laid on *British manufactures*.

I dare say the noble lord is perfectly well read, because the duty of his particular office requires he should be

so, in all our revenue laws ; and in the policy which is to be collected out of them. Now, sir, when he had read this act of American revenue, and a little recovered from his astonishment, I suppose he made one step retrograde (it is but one) and looked at the act which stands just before in the statute-book. The American revenue act is the forty-fifth chapter ; the other to which I refer is the forty-fourth of the same session. These two acts are both to the same purpose ; both revenue acts ; both taxing out of the kingdom ; and both taxing English manufactures exported. As the forty-fifth is an act for raising a revenue in America, the forty-fourth is an act for raising a revenue in the Isle of Man. The two acts perfectly agree in all respects, except one. In the act for taxing the Isle of Man, the noble lord will find (not, as in the American act, four or five articles) but almost the *whole body* of British manufactures, taxed from two and a half to fifteen per cent., and some articles, such as that of spirits, a great deal higher. You did not think it uncommercial to tax the whole mass of your manufactures, and, let me add, your agriculture too ; for, I now recollect, British corn is there also taxed up to ten per cent., and this too in the very headquarters, the very citadel of smuggling, the Isle of Man. Now will the noble lord condescend to tell me why he repealed the taxes on your manufactures sent out to America, and not the taxes on the manufactures exported to the Isle of Man ? The principle was exactly the same, the objects charged infinitely more extensive, the duties, without comparison, higher. Why ? Why, notwithstanding all his childish pretexts, because the taxes were quietly submitted to in the Isle of Man ; and because they raised a flame in America. Your reasons were political, not commercial. The repeal was made, as Lord Hillsborough's letter well expresses it, to regain ' the confidence and affection of the colonies, on which the glory and safety of the British Empire depend.' A wise and just motive surely, if ever there was such. But the mischief and dishonour is that you have

not done what you had given the colonies just cause to expect, when your ministers disclaimed the idea of taxes for a revenue. There is nothing simple, nothing manly, nothing ingenuous, open, decisive, or steady, in the proceeding, with regard either to the continuance or the repeal of the taxes. The whole has an air of littleness and fraud. The article of tea is slurred over in the circular letter, as it were by accident—nothing is said of a resolution either to keep that tax, or to give it up. There is no fair dealing in any part of the transaction.

If you mean to follow your true motive and your public faith, give up your tax on tea for raising a revenue, the principle of which has, in effect, been disclaimed in your name; and which produces you no advantage; no, not a penny. Or, if you choose to go on with a poor pretence instead of a solid reason, and will still adhere to your cant of commerce, you have ten thousand times more strong commercial reasons for giving up this duty on tea, than for abandoning the five others that you have already renounced.

The American consumption of teas is annually, I believe, worth £300,000 at the least farthing. If you urge the American violence as a justification of your perseverance in enforcing this tax, you know that you can never answer this plain question—Why did you repeal the others given in the same act, whilst the very same violence subsisted?—But you did not find the violence cease upon that concession.—No! because the concession was far short of satisfying the principle which Lord Hillsborough had abjured! or even the pretence on which the repeal of the other taxes was announced; and because, by enabling the East India Company to open a shop for defeating the American resolution not to pay that specific tax, you manifestly showed a hankering after the principle of the act which you formerly had renounced. Whatever road you take leads to a compliance with this motion. It opens to you at the end of every vista. Your commerce, your

policy, your promises, your reasons, your pretences, your consistency, your inconsistency—all jointly oblige you to this repeal.

But still it sticks in our throats, if we go so far, the Americans will go farther.—We do not know that. We ought, from experience, rather to presume the contrary. Do we not know for certain that the Americans are going on as fast as possible, whilst we refuse to gratify them? Can they do more, or can they do worse, if we yield this point? I think this concession will rather fix a turnpike to prevent a further progress. It is impossible to answer for bodies of men. But I am sure the natural effect of fidelity, clemency, kindness in governors is peace, good-will, order, and esteem, on the part of the governed. I would certainly, at least, give these fair principles a fair trial; which, since the making of this act to this hour, they never have had.

Sir, the honourable gentleman having spoken what he thought necessary upon the narrow part of the subject, I have given him, I hope, a satisfactory answer. He next presses me by a variety of direct challenges and oblique reflections to say something on the historical part. I shall, therefore, sir, open myself fully on that important and delicate subject; not for the sake of telling you a long story (which, I know, Mr. Speaker, you are not particularly fond of), but for the sake of the weighty instruction that, I flatter myself, will necessarily result from it. It shall not be longer, if I can help it, than so serious a matter requires.

Permit me then, sir, to lead your attention very far back; back to the act of navigation; the corner-stone of the policy of this country with regard to its colonies. Sir, that policy was, from the beginning, purely commercial and the commercial was wholly restrictive. It was the system of a monopoly. No trade was let loose from that restraint, but merely to enable the colonists to dispose of what, in the course of your trade, you could not take; or to enable them to dispose of such articles as we forced upon them, and for which,

without some degree of liberty, they could not pay. Hence all your specific and detailed enumerations: hence the innumerable checks and counterchecks: hence that infinite variety of paper chains by which you bind together this complicated system of the colonies. This principle of commercial monopoly runs through no less than twenty-nine acts of parliament, from the year 1660 to the unfortunate period of 1764.

In all those acts the system of commerce is established, as that, from whence alone you proposed to make the colonies contribute (I mean directly and by the operation of your superintending legislative power) to the strength of the empire. I venture to say, that during that whole period a parliamentary revenue from thence was never once in contemplation. Accordingly, in all the number of laws passed with regard to the plantations, the words which distinguish revenue laws, specifically as such, were, I think, premeditatedly avoided. I do not say, sir, that a form of words alters the nature of the law, or abridges the power of the law-giver. It certainly does not. However, titles and formal preambles are not always idle words; and the lawyers frequently argue from them. I state these facts to show, not what was your right, but what has been your settled policy. Our revenue laws have usually a *title*, purporting their being *grants*; and the words *give* and *grant* usually precede the enacting parts. Although duties were imposed on America in acts of King Charles II, and in acts of King William, no one of title of giving 'an aid to his majesty,' or any other of the usual titles to revenue acts, was to be found in any of them till 1764; nor were the words 'give and grant' in any preamble until the sixth of George II. However the title of this act of George II, notwithstanding the words of donation, considers it merely as a regulation of trade, 'An Act for the better securing of the trade of his majesty's sugar colonies in America.' This act was made on a compromise of all, and at the express desire of a part, of the colonies themselves.

It was therefore in some measure with their consent ; and having a title directly purporting only a *commercial regulation*, and being in truth nothing more, the words were passed by, at a time when no jealousy was entertained, and things were little scrutinized. Even Governor Bernard, in his second printed letter, dated in 1763, gives it as his opinion, that ' it was an act of *prohibition*, not of revenue.' This is certainly true, that no act avowedly for the purpose of revenue, and with the ordinary title and recital taken together, is found in the statute book until the year I have mentioned ; that is the year 1764. All before this period stood on commercial regulation and restraint. The scheme of a colony revenue by British authority appeared therefore to the Americans in the light of a great innovation ; the words of Governor Bernard's ninth letter, written in November, 1765, state this idea very strongly : ' It must,' says he, ' have been supposed, *such an innovation as a parliamentary taxation* would cause a great *alarm*, and meet with much *opposition* in most parts of America ; it was *quite new* to the people, and had no *visible bounds* set to it.' After stating the weakness of government there, he says, ' Was this a time to introduce *so great a novelty* as a parliamentary inland taxation in America ? ' Whatever the right might have been, this mode of using it was absolutely new in policy and practice.

Sir, they who are friends to the schemes of American revenue say, that the commercial restraint is full as hard a law for America to live under. I think so too. I think it, if uncompensated, to be a condition of as rigorous servitude as men can be subject to. But America bore it from the fundamental act of navigation until 1764.—Why ? because men do bear the inevitable constitution of their original nature with all its infirmities. The act of navigation attended the colonies from their infancy, grew with their growth, and strengthened with their strength. They were confirmed in obedience to it, even more by usage than by

law. They scarcely had remembered a time when they were not subject to such restraint. Besides, they were indemnified for it by a pecuniary compensation. Their monopolist happened to be one of the richest men in the world. By his immense capital (primarily employed, not for their benefit, but his own) they were enabled to proceed with their fisheries, their agriculture, their shipbuilding (and their trade too within the limits), in such a manner as got far the start of the slow, languid operations of unassisted nature. This capital was a hot-bed to them. Nothing in the history of mankind is like their progress. For my part, I never cast an eye on their flourishing commerce, and their cultivated and commodious life, but they seem to me rather ancient nations grown to perfection through a long series of fortunate events, and a train of successful industry, accumulating wealth in many centuries, than the colonies of yesterday; than a set of miserable outcasts, a few years ago, not so much sent as thrown out, on the bleak and barren shore of a desolate wilderness, three thousand miles from all civilized intercourse.

All this was done by England, whilst England pursued trade, and forgot revenue. You not only acquired commerce, but you actually created the very objects of trade in America; and by that creation you raised the trade of this kingdom at least fourfold. America had the compensation of your capital, which made her bear her servitude. She had another compensation, which you are now going to take away from her. She had, except the commercial restraint, every characteristic mark of a free people in all her internal concerns. She had the image of the British constitution. She had the substance. She was taxed by her own representatives. She chose most of her own magistrates. She paid them all. She had in effect the sole disposal of her own internal government. This whole state of commercial servitude and civil liberty, taken together, is certainly not perfect freedom; but com-

paring it with the ordinary circumstances of human nature, it was a happy and a liberal condition.

I know, sir, that great and not unsuccessful pains have been taken to inflame our minds by an outcry, in this House, and out of it, that in America the act of navigation neither is, or never was, obeyed. But if you take the colonies through, I affirm, that its authority never was disputed; that it was nowhere disputed for any length of time; and, on the whole, that it was well observed. Wherever the act pressed hard, many individuals indeed evaded it. This is nothing. These scattered individuals never denied the law, and never obeyed it. Just as it happens whenever the laws of trade, whenever the laws of revenue, press hard upon the people of England; in that case all your shores are full of contraband. Your right to give a monopoly to the East India Company, your right to lay immense duties on French brandy, are not disputed in England. You do not make this charge on any man. But you know that there is not a creek from Pentland Frith to the Isle of Wight, in which they do not smuggle immense quantities of teas, East India goods, and brandies. I take it for granted, that the authority of Governor Bernard in this point is indisputable. Speaking of these laws as they regarded that part of America now in so unhappy a condition, he says, 'I believe they are nowhere better supported than in this province; I do not pretend that it is entirely free from a breach of these laws; but that such a breach, if discovered, is justly punished.' What more can you say of the obedience to any laws in any country? An obedience to these laws formed the acknowledgment, instituted by yourselves, for your superiority; and was the payment you originally imposed for your protection.

Whether you were right or wrong in establishing the colonies on the principles of commercial monopoly, rather than on that of revenue, is at this day a problem of mere speculation. You cannot have both by the same authority. To join together the restraints of

an universal internal and external monopoly, with an universal internal and external taxation, is an unnatural union ; perfect, uncompensated slavery. You have long since decided for yourself and them ; and you and they have prospered exceedingly under that decision.

This nation, sir, never thought of departing from that choice until the period immediately on the close of the last war. Then a scheme of government new in many things seemed to have been adopted. I saw, or thought I saw, several symptoms of a great change, whilst I sat in your gallery, a good while before I had the honour of a seat in this House. At that period the necessity was established of keeping up no less than twenty new regiments, with twenty colonels capable of seats in this house. This scheme was adopted with very general applause from all sides, at the very time that, by your conquests in America, your danger from foreign attempts in that part of the world was much lessened, or indeed rather quite over. When this huge increase of military establishment was resolved on, a revenue was to be found to support so great a burden. Country gentlemen, the great patrons of economy, and the great resisters of a standing armed force, would not have entered with much alacrity into the vote for so large and so expensive an army, if they had been very sure that they were to continue to pay for it. But hopes of another kind were held out to them ; and in particular, I well remember, that Mr. Townshend, in a brilliant harangue on this subject, did dazzle them by playing before their eyes the image of a revenue to be raised in America.

Here began to dawn the first glimmerings of this new colony system. It appeared more distinctly afterwards, when it was devolved upon a person to whom, on other accounts, this country owes very great obligations. I do believe that he had a very serious desire to benefit the public. But with no small study of the detail, he did not seem to have his view, at least equally, carried to the total circuit of our affairs. He generally con-

sidered his objects in lights that were rather too detached. Whether the business of an American revenue was imposed upon him altogether ; whether it was entirely the result of his own speculation ; or, what is more probable, that his own ideas rather coincided with the instructions he had received ; certain it is, that with the best intentions in the world, he first brought this fatal scheme into form, and established it by act of parliament.

No man can believe that at this time of day I mean to lean on the venerable memory of a great man, whose loss we deplore in common. Our little party differences have been long ago composed ; and I have acted more with him, and certainly with more pleasure with him, than ever I acted against him. Undoubtedly Mr. Grenville was a first-rate figure in this country. With a masculine understanding, and a stout and resolute heart, he had an application undissipated and unwearied. He took public business not as a duty which he was to fulfil, but as a pleasure he was to enjoy ; and he seemed to have no delight out of this House, except in such things as some way related to the business that was to be done within it. If he was ambitious, I will say this for him, his ambition was of a noble and generous strain. It was to raise himself, not by the low, pimping politics of a court, but to win his way to power, through the laborious gradations of public service ; and to secure himself a well-earned rank in parliament, by a thorough knowledge of its constitution, and a perfect practice in all its business.

Sir, if such a man fell into errors, it must be from defects not intrinsical ; they must be rather sought in the particular habits of his life ; which, though they do not alter the groundwork of character, yet tinge it with their own hue. He was bred in a profession. He was bred to the law, which is, in my opinion, one of the first and noblest of human sciences ; a science which does more to quicken and invigorate the understanding, than all the other kinds of learning put together ; but it is not

apt, except in persons very happily born, to open and to liberalize the mind exactly in the same proportion. Passing from that study he did not go very largely into the world, but plunged into business ; I mean into the business of office ; and the limited and fixed methods and forms established there. Much knowledge is to be had undoubtedly in that line ; and there is no knowledge which is not valuable. But it may be truly said, that men too much conversant in office are rarely minds of remarkable enlargement. Their habits of office are apt to give them a turn to think the substance of business not to be much more important than the forms in which it is conducted. These forms are adapted to ordinary occasions ; and therefore persons who are nurtured in office do admirably well as long as things go on in their common order ; but when the high roads are broken up, and the waters out, when a new and troubled scene is opened, and the file affords no precedent, then it is that a greater knowledge of mankind and far more extensive comprehension of things is requisite, than ever office gave, or than office can ever give. Mr. Grenville thought better of the wisdom and power of human legislation than in truth it deserves. He conceived, and many conceived along with him, that the flourishing trade of this country was greatly owing to law and institution, and not quite so much to liberty ; for but too many are apt to believe regulation to be commerce, and taxes to be revenue. Among regulations, that which stood first in reputation, was his idol. I mean the act of navigation. He has often professed it to be so. The policy of that act is, I readily admit, in many respects well understood. But I do say that, if the act be suffered to run the full length of its principle, and is not changed and modified according to the change of times and the fluctuation of circumstances, it must do great mischief, and frequently even defeat its own purpose.

After the war, and in the last years of it, the trade of America had increased far beyond the speculations of the most sanguine imaginations. It swelled out on

every side. It filled all its proper channels to the brim. It overflowed with a rich redundancy and, breaking its banks on the right and on the left, it spread out upon some places, where it was indeed improper, upon others where it was only irregular. It is the nature of all greatness not to be exact, and great trade will always be attended with considerable abuses. The contraband will always keep pace in some measure with the fair trade. It should stand as a fundamental maxim, that no vulgar precaution ought to be employed in the cure of evils, which are closely connected with the cause of our prosperity. Perhaps this great person turned his eyes somewhat less than was just, towards the incredible increase of the fair trade; and looked with something of too exquisite a jealousy towards the contraband. He certainly felt a singular degree of anxiety on the subject; and even began to act from that passion earlier than is commonly imagined. For whilst he was first lord of the admiralty, though not strictly called upon in his official line, he presented a very strong memorial to the lords of the treasury (my Lord Bute was then at the head of the board) heavily complaining of the growth of the illicit commerce in America. Some mischief happened even at that time from this overearnest zeal. Much greater happened afterwards, when it operated with greater power in the highest department of the finances. The bonds of the act of navigation were straitened so much, that America was on the point of having no trade, either contraband or legitimate. They found, under the construction and execution then used, the act no longer tying but actually strangling them. All this coming with new enumerations of commodities; with regulations which in a manner put a stop to the mutual coasting intercourse of the colonies; with the appointment of courts of admiralty under various improper circumstances; with a sudden extinction of the paper currencies; with a compulsory provision for the quartering of soldiers; the people of America thought themselves proceeded against as

delinquents, or, at best, as people under suspicion of delinquency ; and in such a manner, as they imagined, their recent services in the war did not at all merit. Any of these innumerable regulations, perhaps, would not have alarmed alone ; some might be thought reasonable ; the multitude struck them with terror.

But the grand manœuvre in that business of new regulating the colonies, was the 15th act of the fourth of George III ; which, besides containing several of the matters to which I have just alluded, opened a new principle : and here properly began the second period of the policy of this country with regard to the colonies ; by which the scheme of a regular plantation parliamentary revenue was adopted in theory, and settled in practice. A revenue not substituted in the place of, but superadded to, a monopoly : which monopoly was enforced at the same time with additional strictness, and the execution put into military hands.

This act, sir, had for the first time the title of ‘ granting duties in the colonies and plantations of America ’ ; and for the first time it was asserted in the preamble, ‘ that it was *just* and *necessary* that a revenue should be raised there.’ Then came the technical words of ‘ giving and granting,’ and thus a complete American revenue act was made in all the forms, and with a full avowal of the right, equity, policy, and even necessity of taxing the colonies, without any formal consent of theirs. There are contained also in the preamble to that act these very remarkable words—the commons, &c.—‘ being desirous to make *some* provision in the *present* session of parliament *towards* raising the said revenue.’ By these words it appeared to the colonies that this act was but a beginning of sorrows ; that every session was to produce something of the same kind ; that we were to go on, from day to day, in charging them with such taxes as we pleased, for such a military force as we should think proper. Had this plan been pursued, it was evident that the provincial assemblies, in which the Americans felt all their portion of im-

portance and beheld their sole image of freedom, were *ipso facto* annihilated. This ill prospect before them seemed to be boundless in extent, and endless in duration. Sir, they were not mistaken. The ministry valued themselves when this act passed, and when they gave notice of the Stamp Act, that both of the duties came very short of their ideas of American taxation. Great was the applause of this measure here! In England we cried out for new taxes on America, whilst they cried out that they were nearly crushed with those which the war and their own grants had brought upon them.

Sir, it has been said in the debate that, when the first American revenue act (the act in 1764, imposing the port-duties, passed, the Americans did not object to the principle. It is true they touched it but very tenderly. It was not a direct attack. They were, it is true, as yet novices; as yet unaccustomed to direct attacks upon any of the rights of parliament. The duties were port-duties, like those they had been accustomed to bear; with this difference, that the title was not the same, the preamble not the same, and the spirit altogether unlike. But of what service is this observation to the cause of those that make it? It is a full refutation of the pretence for their present cruelty to America; for it shows, out of their own mouths, that our colonies were backward to enter into the present vexatious and ruinous controversy.

There is also another circulation abroad (spread with a malignant intention, which I cannot attribute to those who say the same thing in this House), that Mr. Grenville gave the colony agents an option for their assemblies to tax themselves, which they had refused. I find that much stress is laid on this, as a fact. However, it happens neither to be true nor possible. I will observe first, that Mr. Grenville never thought fit to make this apology for himself in the innumerable debates that were had upon the subject. He might have proposed to the colony agents, that

they should agree in some mode of taxation as the ground of an act of parliament. But he never could have proposed that they should tax themselves on requisition, which is the assertion of the day. Indeed Mr. Grenville well knew, that the colony agents could have no general powers to consent to it ; and they had no time to consult their assemblies for particular powers, before he passed his first revenue act. If you compare dates, you will find it impossible. Burdened as the agents knew the colonies were at that time, they could not give the least hope of such grants. His own favourite governor was of opinion that the Americans were not then taxable objects :

' Nor was the time less favourable to the equity of such a taxation. I don't mean to dispute the reasonableness of America contributing to the charges of Great Britain when she is able ; nor, I believe, would the Americans themselves have disputed it, at a proper time and season. But it should be considered, that the American governments themselves have, in the prosecution of the late war, contracted very large debts ; which it will take some years to pay off, and in the meantime occasion very burdensome taxes for that purpose only. For instance, this government, which is as much beforehand as any, raises every year £37,500 sterling for sinking their debt, and must continue it for four years longer at least before it will be clear.'

These are the words of Governor Bernard's letter to a member of the old ministry, and which he has since printed. Mr. Grenville could not have made this proposition to the agents, for another reason. He was of opinion, as he has declared in this House an hundred times, that the colonies could not legally grant any revenue to the crown ; and that infinite mischiefs would be the consequence of such a power. When Mr. Grenville had passed the first revenue act, and in the same session had made this House come to a resolution for laying a stamp-duty on America, between that time and the passing the Stamp Act into a law, he told a

considerable and most respectable merchant, a member of this House, whom I am truly sorry I do not now see in his place, when he represented against this proceeding, that if the stamp-duty was disliked, he was willing to exchange it for any other equally productive ; but that, if he objected to the Americans being taxed by parliament, he might save himself the trouble of the discussion, as he was determined on the measure. This is the fact, and, if you please, I will mention a very unquestionable authority for it.

Thus, sir, I have disposed of this falsehood. But falsehood has a perennial spring. It is said, that no conjecture could be made of the dislike of the colonies to the principle. This is as untrue as the other. After the resolution of the House, and before the passing of the Stamp Act, the colonies of Massachusetts Bay and New York did send remonstrances, objecting to this mode of parliamentary taxation. What was the consequence ? They were suppressed ; they were put under the table, notwithstanding an order of council to the contrary, by the ministry which composed the very council that had made the order : and thus the House proceeded to its business of taxing without the least regular knowledge of the objections which were made to it. But to give that House its due, it was not over-desirous to receive information, or to hear remonstrance. On the fifteenth of February, 1765, whilst the Stamp Act was under deliberation, they refused with scorn even so much as to receive four petitions presented from so respectable colonies as Connecticut, Rhode Island, Virginia, and Carolina ; besides one from the traders of Jamaica. As to the colonies, they had no alternative left to them, but to disobey ; or to pay the taxes imposed by that parliament which was not suffered, or did not suffer itself, even to hear them remonstrate upon the subject.

This was the state of the colonies before his majesty thought fit to change his ministers. It stands upon no authority of mine. It is proved by uncontrover-

tible records. The honourable gentleman has desired some of us to lay our hands upon our hearts, and answer to his queries upon the historical part of this consideration; and by his manner (as well as my eyes could discern it) he seemed to address himself to me.

Sir, I will answer him as clearly as I am able, and with great openness; I have nothing to conceal. In the year 'sixty-five, being in a very private station, far enough from any line of business, and not having the honour of a seat in this House, it was my fortune, unknowing and unknown to the then ministry, by the intervention of a common friend, to become connected with a very noble person, and at the head of the treasury department. It was indeed in a situation of little rank and no consequence, suitable to the mediocrity of my talents and pretensions. But a situation near enough to enable me to see, as well as others, what was going on; and I did see in that noble person such sound principles, such an enlargement of mind, such clear and sagacious sense, and such unshaken fortitude, as have bound me, as well as others much better than me, by an inviolable attachment to him from that time forward. Sir, Lord Rockingham very early in that summer received a strong representation from many weighty English merchants and manufacturers, from governors of provinces and commanders of men-of-war, against almost the whole of the American commercial regulations: and particularly with regard to the total ruin which was threatened to the Spanish trade. I believe, sir, the noble lord soon saw his way in this business. But he did not rashly determine against acts which it might be supposed were the result of much deliberation. However, sir, he scarcely began to open the ground, when the whole veteran body of office took the alarm. A violent outcry of all (except those who knew and felt the mischief) was raised against any alteration. On one hand, his attempt was a direct violation of treaties and public law; on the

other, the act of navigation and all the corps of trade laws were drawn up in array against it.

The first step the noble lord took, was to have the opinion of his excellent, learned, and ever-lamented friend the late Mr. Yorke, then attorney-general, on the point of law. When he knew that formally and officially, which in substance he had known before, he immediately dispatched orders to redress the grievance. But I will say it for the then minister, he is of that constitution of mind, that I know he would have issued, on the same critical occasion, the very same orders, if the acts of trade had been, as they were not, directly against him; and would have cheerfully submitted to the equity of parliament for his indemnity.

On the conclusion of this business of the Spanish trade, the news of the troubles, on account of the Stamp Act, arrived in England. It was not until the end of October that these accounts were received. No sooner had the sound of that mighty tempest reached us in England, than the whole of the then opposition, instead of feeling humbled by the unhappy issue of their measures, seemed to be infinitely elated, and cried out that the ministry, from envy to the glory of their predecessors, were prepared to repeal the Stamp Act. Near nine years after, the honourable gentleman takes quite opposite ground, and now challenges me to put my hand to my heart and say whether the ministry had resolved on the repeal till a considerable time after the meeting of parliament. Though I do not very well know what the honourable gentleman wishes to infer from the admission, or from the denial, of this fact, on which he so earnestly adjures me; I do put my hand on my heart and assure him that they did *not* come to a resolution directly to repeal. They weighed this matter as its difficulty and importance required. They considered maturely among themselves. They consulted with all who could give advice or information. It was not determined until a little before the meeting of parliament; but it was determined, and

the main lines of their own plan marked out, before that meeting. Two questions arose (I hope I am not going into a narrative troublesome to the House).

[A cry of 'Go on, go on.']

The first of the two considerations was, whether the repeal should be total, or whether only partial; taking out everything burthensome and productive, and reserving only an empty acknowledgment, such as a stamp on cards or dice. The other question was, on what principle the act should be repealed? On this head also two principles were started. One, that the legislative rights of this country, with regard to America, were not entire, but had certain restrictions and limitations. The other principle was, that taxes of this kind were contrary to the fundamental principles of commerce on which the colonies were founded; and contrary to every idea of political equity; by which equity we are bound, as much as possible, to extend the spirit and benefit of the British constitution to every part of the British dominions. The option, both of the measure, and of the principle of repeal, was made before the session; and I wonder how any one can read the king's speech at the opening of that session, without seeing in that speech both the repeal and the declaratory act very sufficiently crayoned out. Those who cannot see this can see nothing.

Surely the honourable gentleman will not think that a great deal less time than was then employed ought to have been spent in deliberation, when he considers that the news of the troubles did not arrive till towards the end of October. The parliament sat to fill the vacancies on the fourteenth day of December and on business the fourteenth of the following January.

Sir, a partial repeal, or, as the *bon ton* of the court then was, a *modification*, would have satisfied a timid, unsystematic, procrastinating ministry, as such a measure has since done such a ministry. A modification is the constant resource of weak, undecided minds. To repeal by a denial of our right to tax in the preamble

(and this too did not want advisers), would have cut, in the heroic style, the Gordian knot with a sword. Either measure would have cost no more than a day's debate. But when the total repeal was adopted; and adopted on principles of policy, of equity, and of commerce; this plan made it necessary to enter into many and difficult measures. It became necessary to open a very large field of evidence commensurate to these extensive views. But then this labour did knights' service. It opened the eyes of several to the true state of the American affairs; it enlarged their ideas; it removed prejudices; and it conciliated the opinions and affections of men. The noble lord, who then took the lead in administration, my honourable friend* under me, and a right honourable gentleman† if (he will not reject his share, and it was a large one, of this business), exerted the most laudable industry in bringing before you the fullest, most impartial, and least-garbled body of evidence that ever was produced to this House. I think the inquiry lasted in the committee for six weeks; and, at its conclusion, this House, by an independent, noble, spirited, and unexpected majority; by a majority that will redeem all the acts ever done by majorities in parliament; in the teeth of all the old mercenary Swiss of state, in despite of all the speculators and augurs of political events, in defiance of the whole embattled legion of veteran pensioners and practised instruments of a court, gave a total repeal to the Stamp Act, and (if it had been so permitted) a lasting peace to this whole empire.

I state, sir, these particulars, because this act of spirit and fortitude has lately been, in the circulation of the season, and in some hazarded declamations in this House, attributed to timidity. If, sir, the conduct of ministry, in proposing the repeal, had arisen from timidity with regard to themselves, it would have been greatly to be condemned. Interested timidity disgraces as much in the cabinet, as personal timidity

* Mr. Dowdeswell.

† General Conway.

does in the field. But timidity, with regard to the well-being of our country, is heroic virtue. The noble lord who then conducted affairs and his worthy colleagues, whilst they trembled at the prospect of such distresses as you have since brought upon yourselves, were not afraid steadily to look in the face that glaring and dazzling influence at which the eyes of eagles have blenched. He looked in the face one of the ablest, and, let me say, not the most scrupulous oppositions, that perhaps ever was in this House; and withstood it, unaided by even one of the usual supports of administration. He did this when he repealed the Stamp Act. He looked in the face a person he had long respected and regarded, and whose aid was then particularly wanting; I mean Lord Chatham. He did this when he passed the Declaratory Act.

It is now given out for the usual purposes, by the usual emissaries, that Lord Rockingham did not consent to the repeal of this act until he was bullied into it by Lord Chatham; and the reporters have gone so far as publicly to assert, in a hundred companies, that the honourable gentleman under the gallery,* who proposed the repeal in the American committee, had another set of resolutions in his pocket directly the reverse of those he moved. These artifices of a desperate cause are at this time spread abroad, with incredible care, in every part of the town, from the highest to the lowest companies; as if the industry of the circulation were to make amends for the absurdity of the report.

Sir, whether the noble lord is of a complexion to be bullied by Lord Chatham, or by any man, I must submit to those who know him. I confess, when I look back to that time, I consider him as placed in one of the most trying situations in which, perhaps, any man ever stood. In the House of Peers there were very few of the ministry, out of the noble lord's own particular connexion (except Lord Egmont, who acted,

* General Conway.

as far as I could discern, an honourable and manly part), that did not look to some other future arrangement, which warped his politics. There were in both Houses new and menacing appearances, that might very naturally drive any other, than a most resolute minister, from his measure or from his station. The household troops openly revolted. The allies of ministry (those, I mean, who supported some of their measures, but refused responsibility for any) endeavoured to undermine their credit, and to take ground that must be fatal to the success of the very cause which they would be thought to countenance. The question of the repeal was brought on by ministry in the committee of this House, in the very instant when it was known that more than one court negotiation was carrying on with the heads of the opposition. Everything, upon every side, was full of traps and mines. Earth below shook ; heaven above menaced ; all the elements of ministerial safety were dissolved. It was in the midst of this chaos of plots and counterplots ; it was in the midst of this complicated warfare against public opposition and private treachery, that the firmness of that noble person was put to the proof. He never stirred from his ground ; no, not an inch. He remained fixed and determined, in principle, in measure, and in conduct. He practised no managements. He secured no retreat. He sought no apology.

I will likewise do justice, I ought to do it, to the honourable gentleman who led us in this House.* Far from the duplicity wickedly charged on him, he acted his part with alacrity and resolution. We all felt inspired by the example he gave us, down even to myself, the weakest in that phalanx. I declare for one, I knew well enough (it could not be concealed from anybody) the true state of things ; but, in my life, I never came with so much spirits into this House. It was a time for a *man* to act in. We had powerful enemies ; but we had faithful and determined friends ;

* General Conway.

and a glorious cause. We had a great battle to fight ; but we had the means of fighting ; not as now, when our arms are tied behind us. We did fight that day and conquer.

I remember, sir, with a melancholy pleasure, the situation of the honourable gentleman* who made the motion for the repeal ; in that crisis, when the whole trading interest of this empire, crammed into your lobbies, with a trembling and anxious expectation, waited, almost to a winter's return of light, their fate from your resolutions. When, at length, you had determined in their favour, and your doors, thrown open, showed them the figure of their deliverer in the well-earned triumph of his important victory, from the whole of that grave multitude there arose an involuntary burst of gratitude and transport. They jumped upon him like children on a long absent father. They clung about him as captives about their redeemer. All England, all America, joined to his applause. Nor did he seem insensible to the best of all earthly rewards, the love and admiration of his fellow-citizens. *Hope elevated and joy brightened his crest.* I stood near him ; and his face, to use the expression of the Scripture of the first martyr, 'his face was as if it had been the face of an angel.' I do not know how others feel ; but if I had stood in that situation, I never would have exchanged it for all that kings in their profusion could bestow. I did hope that that day's danger and honour would have been a bond to hold us all together for ever. But, alas ! that, with other pleasing visions, is long since vanished.

Sir, this act of supreme magnanimity has been represented, as if it had been a measure of an administration, that having no scheme of their own, took a middle line, pilfered a bit from one side and a bit from the other. Sir, they took *no* middle lines. They differed fundamentally from the schemes of both parties ; but they preserved the objects of both. They preserved the authority of Great Britain. They preserved the equity

* General Conway.

of Great Britain. They made the Declaratory Act; they repealed the Stamp Act. They did both *fully*; because the Declaratory Act was without *qualification*; and the repeal of the Stamp Act *total*. This they did in the situation I have described.

Now, sir, what will the adversary say to both these acts? If the principle of the Declaratory Act was not good, the principle we are contending for this day is monstrous. If the principle of the repeal was not good, why are we not at war for a real, substantial, effective revenue? If both were bad, why has this ministry incurred all the inconveniences of both and of all schemes? Why have they enacted, repealed, enforced, yielded, and now attempt to enforce again?

Sir, I think I may as well now, as at any other time, speak to a certain matter of fact, not wholly unrelated to the question under your consideration. We, who would persuade you to revert to the ancient policy of this kingdom, labour under the effect of this short current phrase, which the court leaders have given out to all their corps, in order to take away the credit of those who would prevent you from that frantic war you are going to wage upon your colonies. Their cant is this: 'All the disturbances in America have been created by the repeal of the Stamp Act.' I suppress for a moment my indignation at the falsehood, baseness, and absurdity of this most audacious assertion. Instead of remarking on the motives and character of those who have issued it for circulation, I will clearly lay before you the state of America, antecedently to that repeal; after the repeal; and since the renewal of the schemes of American taxation.

It is said, that the disturbances, if there were any before the repeal, were slight; and without difficulty or inconvenience might have been suppressed. For an answer to this assertion I will send you to the great author and patron of the Stamp Act, who certainly meaning well to the authority of this country, and fully apprised of the state of that, made, before a repeal

was so much as agitated in this House, the motion which is on your journals; and which, to save the clerk the trouble of turning to it, I will now read to you. It was for an amendment to the address of the 17th of December, 1765:

'To express our just resentment and indignation at the outrageous tumults and insurrections which have been excited and carried on in North America; and at the resistance given, by open and rebellious force, to the execution of the laws in that part of his majesty's dominions. And to assure his majesty, that his faithful commons, animated with the warmest duty and attachment to his royal person and government, will firmly and effectually support his majesty in all such measures as shall be necessary for preserving and supporting the legal dependence of the colonies on the mother country, &c., &c.'

Here was certainly a disturbance preceding the repeal; such a disturbance as Mr. Grenville thought necessary to qualify by the name of an *insurrection*, and the epithet of a *rebellious* force: terms much stronger than any by which those, who then supported his motion, have ever since thought proper to distinguish the subsequent disturbances in America. They were disturbances which seemed to him and his friends to justify as strong a promise of support, as hath been usual to give in the beginning of a war with the most powerful and declared enemies. When the accounts of the American governors came before the House, they appeared stronger even than the warmth of public imagination had painted them; so much stronger, that the papers on your table bear me out in saying, that all the late disturbances, which have been at one time the minister's motives for the repeal of five out of six of the new court taxes, and are now his pretences for refusing to repeal that sixth, did not amount—why do I compare them?—no, not to a tenth part of the tumults and violence which prevailed long before the repeal of that act.

Ministry cannot refuse the authority of the com-

mander-in-chief, General Gage, who, in his letter of the 4th of November from New York, thus represents the state of things :—

'It is difficult to say, from the highest to the lowest, who has not been accessory to this insurrection, either by writing or mutual agreements to oppose the act, by what they are pleased to term all legal opposition to it. Nothing effectual has been proposed, either to prevent or quell the tumult. The rest of the provinces are in the same situation as to a positive refusal to take the stamps; and threatening those who shall take them, to plunder and murder them; and this affair stands in all the provinces, that unless the act, from its own nature, enforce itself, nothing but a very considerable military force can do it.'

It is remarkable, sir, that the persons who formerly trumpeted forth the most loudly the violent resolutions of assemblies; the universal insurrections; the seizing and burning the stamped papers; the forcing stamp officers to resign their commissions under the gallows; the rifling and pulling down of the houses of magistrates; and the expulsion from their country of all who dared to write and speak a single word in defence of the powers of parliament; these very trumpeters are now the men that represent the whole as a mere trifle, and choose to date all the disturbances from the repeal of the Stamp Act, which put an end to them. Hear your officers abroad, and let them refute this shameless falsehood, who, in all their correspondence, state the disturbances as owing to their true causes, the discontent of the people, from the taxes. You have this evidence in your own archives, and it will give you complete satisfaction, if you are not so far lost to all parliamentary ideas of information, as rather to credit the lie of the day, than the records of your own House.

Sir, this vermin of court reporters, when they are forced into day upon one point, are sure to burrow in another; but they shall have no refuge; I will make them bolt out of all their holes. Conscious that they must be baffled, when they attribute a precedent dis-

turbance to a subsequent measure, they take other ground, almost as absurd, but very common in modern practice, and very wicked ; which is, to attribute the ill-effect of ill-judged conduct to the arguments which had been used to dissuade us from it. They say, that the opposition made in parliament to the Stamp Act at the time of its passing, encouraged the Americans to their resistance. This has even formally appeared in print in a regular volume from an advocate of that faction, a Dr. Tucker. This Dr. Tucker is already a dean, and his earnest labours in this vineyard, will, I suppose, raise him to a bishopric. But this assertion, too, just like the rest, is false. In all the papers which have loaded your table ; in all the vast crowd of verbal witnesses that appeared at your bar, witnesses which were indiscriminately produced from both sides of the House ; not the least hint of such a cause of disturbance has ever appeared. As to the fact of a strenuous opposition to the Stamp Act, I sat as a stranger in your gallery when the act was under consideration. Far from anything inflammatory, I never heard a more languid debate in this House. No more than two or three gentlemen, as I remember, spoke against the act, and that with great reserve, and remarkable temper. There was but one division in the whole progress of the bill ; and the minority did not reach to more than thirty-nine or forty. In the House of Lords I do not recollect that there was any debate or division at all. I am sure there was no protest. In fact, the affair passed with so very, very little noise, that in town they scarcely knew the nature of what they were doing. The opposition to the bill in England never could have done this mischief, because there scarcely ever was less of opposition to a bill of consequence.

Sir, the agents and distributors of falsehoods have, with their usual industry, circulated another lie of the same nature with the former. It is this, that the disturbances arose from the account which had been received in America of the change in the ministry.

No longer awed, it seems, with the spirit of the former rulers, they thought themselves a match for what our calumniators choose to qualify by the name of so feeble a ministry as succeeded. Feeble in one sense these men certainly may be called ; for, with all their efforts, and they have made many, they have not been able to resist the distempered vigour, and insane alacrity, with which you are rushing to your ruin. But it does so happen, that the falsity of this circulation is (like the rest) demonstrated by indisputable dates and records.

So little was the change known in America, that the letters of your governors, giving an account of these disturbances long after they had arrived at their highest pitch, were all directed to the *old ministry*, and particularly to the *Earl of Halifax*, the secretary of state corresponding with the colonies, without once in the smallest degree intimating the slightest suspicion of any ministerial revolution whatsoever. The ministry was not changed in England until the 10th day of July, 1765. On the fourteenth of the preceding June, Governor Fauquier from Virginia, writes thus ; and writes thus to the Earl of Halifax : ‘ *Government is set at defiance, not having strength enough in her hands to enforce obedience to the laws of the community. The private distress, which every man feels, increases the general dissatisfaction at the duties laid by the Stamp Act, which breaks out, and shows itself upon every trifling occasion.*’ The general dissatisfaction had produced some time before, that is, on the 29th of May, several strong public resolves against the Stamp Act ; and these resolves are assigned by Governor Bernard as the cause of the *insurrections* in Massachusetts’s Bay, in his letter of the 15th of August, still addressed to the Earl of Halifax ; and he continued to address such accounts to that minister quite to the 7th of September of the same year. Similar accounts, and of as late a date, were sent from other governors, and all directed to Lord Halifax. Not one of these letters indicates the slightest idea of a change, either known or even apprehended.

Thus are blown away the insect race of courtly falsehoods! Thus perish the miserable inventions of the wretched runners for a wretched cause, which they have fly-blown into every weak and rotten part of the country in vain hopes that when their maggots had taken wing their importunate buzzing might sound something like the public voice!

Sir, I have troubled you sufficiently with the state of America before the repeal. Now I turn to the honourable gentleman who so stoutly challenges us to tell whether, after the repeal, the provinces were quiet. This is coming home to the point. Here I meet him directly; and answer most readily, *They were quiet*. And I, in my turn, challenge him to prove when, and where, and by whom, and in what numbers, and with what violence, the other laws of trade, as gentlemen assert, were violated in consequence of your concession? or that even your other revenue laws were attacked? But I quit the vantage ground on which I stand, and where I might leave the burden of the proof upon him: I walk down upon the open plain, and undertake to show that they were not only quiet, but showed many unequivocal marks of acknowledgment and gratitude. And to give him every advantage, I select the obnoxious colony of Massachusetts's Bay, which at this time (but without hearing her) is so heavily a culprit before parliament; I will select their proceedings even under circumstances of no small irritation. For, a little imprudently, I must say, Governor Bernard mixed in the administration of the lenitive of the repeal no small acrimony arising from matters of a separate nature. Yet see, sir, the effect of that lenitive, though mixed with these bitter ingredients; and how this rugged people can express themselves on a measure of concession.

'If it is not in our power' (say they in their address to Governor Bernard), *'in so full a manner as will be expected, to show our respectful gratitude to the mother country, or to make a dutiful and affectionate return to*

the indulgence of the king and parliament, it shall be no fault of ours ; for this we intend, and hope we shall be able fully to effect.'

Would to God that this temper had been cultivated, managed, and set in action ! Other effects than those which we have since felt would have resulted from it. On the requisition for compensation to those who had suffered from the violence of the populace, in the same address they say, '*The recommendation enjoined by Mr. Secretary Conway's letter, and in consequence thereof made to us, we will embrace the first convenient opportunity to consider and act upon.*' They did consider ; they did act upon it. They obeyed the requisition. I know the mode has been chicaned upon ; but it was substantially obeyed, and much better obeyed than I fear the parliamentary requisition of this session will be, though enforced by all your rigour and backed with all your power. In a word, the damages of popular fury were compensated by legislative gravity. Almost every other part of America in various ways demonstrated their gratitude. I am bold to say, that so sudden a calm recovered after so violent a storm is without parallel in history. To say that no other disturbance should happen from any other cause, is folly. But as far as appearances went, by the judicious sacrifice of one law, you procured an acquiescence in all that remained. After this experience, nobody shall persuade me, when a whole people are concerned, that acts of lenity are not means of conciliation.

I hope the honourable gentleman has received a fair and full answer to his question.

I have done with the third period of your policy : that of your repeal ; and the return of your ancient system, and your ancient tranquillity and concord. Sir, this period was not as long as it was happy. Another scene was opened, and other actors appeared on the stage. The state, in the condition I have described it, was delivered into the hands of Lord Chatham, a great and celebrated name—a name that keeps the name of

this country respectable in every other on the globe. It may be truly called,

Clarum et venerabile nomen
Gentibus, et multum nostræ quod proderat urbi.

Sir, the venerable age of this great man, his merited rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he fills in the eye of mankind, and, more than all the rest, his fall from power, which, like death, canonizes and sanctifies a great character, will not suffer me to censure any part of his conduct. I am afraid to flatter him; I am sure I am not disposed to blame him. Let those who have betrayed him by their adulation insult him with their malevolence. But what I do not presume to censure I may have leave to lament. For a wise man, he seemed to me at that time to be governed too much by general maxims. I speak with the freedom of history, and I hope without offence. One or two of these maxims, flowing from an opinion not the most indulgent to our unhappy species, and surely a little too general, led him into measures that were generally mischievous to himself, and for that reason, among others, perhaps fatal to this country;—measures, the effect of which, I am afraid, are for ever incurable. He made an administration, so checkered and speckled; he put together a piece of joinery, so crossly indented and whimsically dove-tailed; a cabinet so variously inlaid; such a piece of diversified mosaic; such a tessellated pavement without cement; here a bit of black stone, and there a bit of white; patriots and courtiers, king's friends and republicans; Whigs and Tories; treacherous friends and open enemies;—that it was, indeed, a very curious show; but utterly unsafe to touch, and unsure to stand on. The colleagues whom he had assorted at the same boards stared at each other, and were obliged to ask, 'Sir, your name?—Sir, you have the advantage of me—Mr. Such-a-one—I beg a thousand pardons——' I venture to say, it

did so happen that persons had a single office divided between them, who had never spoken to each other in their lives; until they found themselves, they knew not how, pigging together, heads and points, in the same truckle-bed.*

Sir, in consequence of this arrangement, having put so much the larger part of his enemies and opposers into power, the confusion was such, that his own principles could not possibly have any effect or influence in the conduct of affairs. If ever he fell into a fit of the gout, or if any other cause withdrew him from public cares, principles directly the contrary were sure to predominate. When he had executed his plan, he had not an inch of ground to stand upon. When he had accomplished his scheme of administration, he was no longer a minister.

When his face was hid but for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his particular friends, who, with the names of various departments of ministry, were admitted to seem as if they acted a part under him, with a modesty that becomes all men, and with a confidence in him which was justified even in its extravagance by his superior abilities, had never in any instance presumed upon any opinion of their own. Deprived of his guiding influence, they were whirled about, the sport of every gust, and easily driven into any port; and as those who joined with them in manning the vessel were the most directly opposite to his opinions, measures, and character, and far the most artful and most powerful of the set, they easily prevailed, so as to seize upon the vacant, unoccupied, and derelict minds of his friends, and instantly they turned the vessel wholly out of the course of his policy. As if it were to insult as well as to betray him, even long before the close of the first session of his administration, when everything was publicly transacted, and with great

* Supposed to allude to the Right Honourable Lord North, and George Cooke, Esq., who were made joint paymasters in the summer of 1766, on the removal of the Rockingham administration.

parade, in his name, they made an act, declaring it highly just and expedient to raise a revenue in America. For even then, sir, even before this splendid orb was entirely set, and while the western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary, and, for his hour, became lord of the ascendant.

This light, too, is passed and set for ever. You understand, to be sure, that I speak of Charles Townshend, officially the reproducer of this fatal scheme, whom I cannot even now remember without some degree of sensibility. In truth, sir, he was the delight and ornament of this House, and the charm of every private society which he honoured with his presence. Perhaps there never arose in this country, nor in any country, a man of a more pointed and finished wit, and (where his passions were not concerned) of a more refined, exquisite, and penetrating judgment. If he had not so great a stock, as some have had who flourished formerly, of knowledge long treasured up, he knew, better by far than any man I ever was acquainted with, how to bring together within a short time all that was necessary to establish, to illustrate, and to decorate that side of the question he supported. He stated his matter skilfully and powerfully. He particularly excelled in a most luminous explanation, and display of his subject. His style of argument was neither trite nor vulgar, nor subtle and abstruse. He hit the House just between wind and water; and, not being troubled with too anxious a zeal for any matter in question, he was never more tedious or more earnest than the preconceived opinions and present temper of his hearers required, to whom he was always in perfect unison. He conformed exactly to the temper of the House; and he seemed to guide, because he was always sure to follow it.

I beg pardon, sir, if when I speak of this and of other great men, I appear to digress in saying something of their characters. In this eventful history of the

revolutions of America, the characters of such men are of much importance. Great men are the guide-posts and landmarks in the state. The credit of such men at court, or in the nation, is the sole cause of all the public measures. It would be an invidious thing (most foreign, I trust, to what you think my disposition) to remark the errors into which the authority of great names has brought the nation, without doing justice at the same time to the great qualities whence that authority arose. The subject is instructive to those who wish to form themselves on whatever of excellence has gone before them. There are many young members in the House (such of late has been the rapid succession of public men) who never saw that prodigy, Charles Townshend; nor of course know what a ferment he was able to excite in everything by the violent ebullition of his mixed virtues and failings. For failings he had undoubtedly—many of us remember them; we are this day considering the effect of them. But he had no failings which were not owing to a noble cause; to an ardent, generous, perhaps an immoderate passion for fame; a passion which is the instinct of all great souls. He worshipped that goddess wheresoever she appeared; but he paid his particular devotions to her in her favourite habitation, in her chosen temple, the House of Commons. Besides the characters of the individuals that compose our body, it is impossible, Mr. Speaker, not to observe, that this House has a collective character of its own. That character too, however imperfect, is not unamiable. Like all great public collections of men, you possess a marked love of virtue, and an abhorrence of vice. But among vices there is none, which the House abhors in the same degree with *obstinacy*. Obstinacy, sir, is certainly a great vice; and in the changeful state of political affairs it is frequently the cause of great mischief. It happens, however, very unfortunately, that almost the whole line of the great and masculine virtues, constancy, gravity, magnanimity, fortitude, fidelity, and firmness,

are closely allied to this disagreeable quality, of which you have so just an abhorrence ; and, in their excess, all these virtues very easily fall into it. He, who paid such a punctilious attention to all your feelings certainly took care not to shock them by that vice which is the most disgusting to you.

That fear of displeasing those who ought most to be pleased betrayed him sometimes into the other extreme. He had voted, and, in the year 1765, had been an advocate for the Stamp Act. Things and the disposition of men's minds were changed. In short, the Stamp Act began to be no favourite in this House. He therefore attended at the private meeting, in which the resolutions moved by a right honourable gentleman were settled ; resolutions leading to the repeal. The next day he voted for that repeal ; and he would have spoken for it too, if an illness (not as was then given out, a political, but to my knowledge, a very real illness) had not prevented it.

The very next session, as the fashion of this world passeth away, the repeal began to be in as bad an odour in this House as the Stamp Act had been in the session before. To conform to the temper which began to prevail, and to prevail mostly amongst those most in power, he declared, very early in the winter, that a revenue must be had out of America. Instantly he was tied down to his engagements by some, who had no objection to such experiments, when made at the cost of persons for whom they had no particular regard. The whole body of courtiers drove him onward. They always talked as if the king stood in a sort of humiliated state, until something of the kind should be done.

Here this extraordinary man, then chancellor of the exchequer, found himself in great straits. To please universally was the object of his life ; but to tax and to please, no more than to love and to be wise, is not given to men. However he attempted it. To render the tax palatable to the partisans of American revenue,

he made a preamble stating the necessity of such a revenue. To close with the American distinction, this revenue was *external* or port-duty; but again, to soften it to the other party, it was a duty of *supply*. To gratify the *colonists*, it was laid on British manufactures; to satisfy the *merchants of Britain*, the duty was trivial, and (except that on tea, which touched only the devoted East India Company) on none of the grand objects of commerce. To counterwork the American contraband, the duty on tea was reduced from a shilling to three-pence. But to secure the favour of those who would tax America, the scene of collection was changed, and, with the rest, it was levied in the colonies. What need I say more? This fine-spun scheme had the usual fate of all exquisite policy. But the original plan of the duties, and the mode of executing that plan, both arose singly and solely from a love of our applause. He was truly the child of the House. He never thought, did, or said anything, but with a view to you. He every day adapted himself to your disposition; and adjusted himself before it as at a looking-glass.

He had observed (indeed it could not escape him) that several persons, infinitely his inferiors in all respects, had formerly rendered themselves considerable in this House by one method alone. They were a race of men (I hope in God the species is extinct) who, when they rose in their place, no man living could divine, from any known adherence to parties, to opinions, or to principles, from any order or system in their politics, or from any sequel or connexion in their ideas, what part they were going to take in any debate. It is astonishing how much this uncertainty, especially at critical times, called the attention of all parties on such men. All eyes were fixed on them, all ears open to hear them; each party gaped and looked alternately for their vote, almost to the end of their speeches. While the House hung in this uncertainty, now the *hear him* rose from this side—now they rebellowed from the other; and that party, to whom they fell at length

from their tremulous and dancing balance, always received them in a tempest of applause. The fortune of such men was a temptation too great to be resisted by one, to whom a single whiff of incense withheld gave much greater pain, than he received delight, in the clouds of it, which daily rose about him from the prodigal superstition of innumerable admirers. He was a candidate for contradictory honours; and his great aim was to make those agree in admiration of him who never agreed in anything else.

Hence arose this unfortunate act, the subject of this day's debate; from a disposition which, after making an American revenue to please one, repealed it to please others, and again revived it in hopes of pleasing a third, and of catching something in the ideas of all.

This revenue act of 1767 formed the fourth period of American policy. How we have fared since then—what woeful variety of schemes have been adopted; what enforcing, and what repealing; what bullying, and what submitting; what doing, and undoing; what straining and what relaxing; what assemblies dissolved for not obeying, and called again without obedience; what troops sent out to quell resistance, and, on meeting that resistance, recalled; what shiftings, and changes, and jumbings of all kinds of men at home, which left no possibility of order, consistency, vigour, or even so much as a decent unity of colour in any one public measure. It is a tedious, irksome task. My duty may call me to open it out some other time; * on a former occasion I tried your temper on a part of it; for the present I shall forbear.

After all these changes and agitations, your immediate situation upon the question on your paper is at length brought to this. You have an act of parliament, stating, that 'it is *expedient* to raise a revenue in America.' By a partial repeal you annihilated the greatest part of that revenue, which this preamble declares to be so *expedient*. You have substituted no other in the place

* Resolutions in May, 1770.

of it. A secretary of state has disclaimed, in the king's name, all thoughts of such a substitution in future. The principle of this disclaimer goes to what has been left, as well as what has been repealed. The tax which lingers after its companions (under a preamble declaring an American revenue expedient, and for the sole purpose of supporting the theory of that preamble) militates with the assurance authentically conveyed to the colonies; and is an exhaustless source of jealousy and animosity. On this state, which I take to be a fair one; not being able to discern any grounds of honour, advantage, peace or power, for adhering, either to the act or to the preamble, I shall vote for the question which leads to the repeal of both.

If you do not fall in with this motion, then secure something to fight for, consistent in theory and valuable in practice. If you must employ your strength, employ it to uphold you in some honourable right, or some profitable wrong. If you are apprehensive that the concession recommended to you, though proper, should be a means of drawing on you further but unreasonable claims—why then employ your force in supporting that reasonable concession against those unreasonable demands. You will employ it with more grace; with better effect; and with great probable concurrence of all the quiet and rational people in the provinces; who are now united with, and hurried away by the violent; having indeed different dispositions, but a common interest. If you apprehend that on a concession you shall be pushed by metaphysical process to the extreme lines, and argued out of your whole authority, my advice is this; when you have recovered your old, your strong, your tenable position, then face about—stop short—do nothing more—reason not at all—oppose the ancient policy and practice of the empire as ramparts against the speculations of innovators on both sides of the question; and you will stand on great, manly, and sure ground. On this solid basis fix your machines, and they will draw worlds towards you.

Your ministers, in their own and his majesty's name have already adopted the American distinction of internal, and external duties. It is a distinction, whatever merit it may have, that was originally moved by the Americans themselves ; and I think they will acquiesce in it, if they are not pushed with too much logic and too little sense, in all the consequences. That is, if external taxation be understood, as they and you understand it, when you please, to be not a distinction of geography, but of policy ; that it is a power for regulating trade, and not for supporting establishments. The distinction, which is as nothing with regard to right, is of most weighty consideration in practice. Recover your old ground, and your old tranquillity—try it—I am persuaded the Americans will compromise with you. When confidence is once restored, the odious and suspicious *summum jus* will perish of course. The spirit of practicability, of moderation, and mutual convenience, will never call in geometrical exactness as the arbitrator of an amicable settlement. Consult and follow your experience. Let not the long story, with which I have exercised your patience, prove fruitless to your interests.

For my part, I should choose (if I could have my wish) that the proposition of the honourable gentleman* for the repeal could go to America without the attendance of the penal bills. Alone I could almost answer for its success. I cannot be certain of its reception in the bad company it may keep. In such heterogeneous assortments, the most innocent person will lose the effect of his innocency. Though you should send out this angel of peace, yet you are sending out a destroying angel too ; and what would be the effect of the conflict of these two adverse spirits, or which would predominate in the end, is what I dare not say : whether the lenient measures would cause American passion to subside, or the severe would increase its fury—all this is in the hand of providence. Yet now, even now, I should confide in the prevailing virtue, and efficacious operation of lenity,

* Mr. Fuller.

though working in darkness, and in chaos, in the midst of all this unnatural and turbid combination : I should hope it might produce order and beauty in the end.

Let us, sir, embrace some system or other before we end this session. Do you mean to tax America, and to draw a productive revenue from thence ? If you do, speak out ; name, fix, ascertain, this revenue ; settle its quantity ; define its objects ; provide for its collection ; and then fight when you have something to fight for. If you murder—rob ; if you kill, take possession ; and do not appear in the character of madmen, as well as assassins, violent, vindictive, bloody, and tyrannical without an object. But may better counsels guide you !

Again, and again, revert to your old principles—seek peace and ensue it—leave America, if she has taxable matter in her, to tax herself. I am not here going into the distinctions of rights, not attempting to mark their boundaries. I do not enter into these metaphysical distinctions ; I hate the very sound of them. Leave the Americans as they anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They and we, and their and our ancestors, have been happy under that system. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished for ever. Be content to bind America by laws of trade ; you have always done it. Let this be your reason for binding their trade. Do not burden them by taxes ; you were not used to do so from the beginning. Let this be your reason for not taxing. These are the arguments of states and kingdoms. Leave the rest to the schools ; for there only they may be discussed with safety. But if, intemperately, unwisely, fatally, you sophisticate and poison the very source of government, by urging subtle deductions, and consequences odious to those who govern, from the unlimited and illimitable nature of supreme sovereignty you will teach them by these means to call that sovereignty itself in question. When you drive him hard, the boar will surely turn upon the hunters. If that sovereignty and

their freedom cannot be reconciled, which will they take? They will cast your sovereignty in your face. Nobody will be argued into slavery. Sir, let the gentlemen on the other side call forth all their ability; let the best of them get up, and tell me, what one character of liberty the Americans have, and what one brand of slavery they are free from, if they are bound in their poverty and industry, by all the restraints you can imagine on commerce, and at the same time are made pack-horses of every tax you choose to impose, without the least share in granting them. When they bear the burdens of unlimited monopoly, will you bring them to bear the burdens of unlimited revenue too? The Englishman in America will feel that this is slavery—that it is *legal* slavery will be no compensation, either to his feelings or his understanding.

A noble lord,* who spoke some time ago, is full of the fire of ingenious youth; and when he has modelled the ideas of a lively imagination by further experience, he will be an ornament to his country in either House. He has said that the Americans are our children, and how can they revolt against their parent? He says, that if they are not free in their present state, England is not free; because Manchester, and other considerable places, are not represented. So then, because some towns in England are not represented, America is to have no representative at all. They are 'our children'; but when children ask for bread we are not to give a stone. Is it because the natural resistance of things, and the various mutations of time, hinders our government, or any scheme of government, from being any more than a sort of approximation to the right, is it therefore that the colonies are to recede from it infinitely? When this child of ours wishes to assimilate to its parent, and to reflect with a true filial resemblance the beauteous countenance of British liberty; are we to turn to them the shameful parts of our constitution? are we to give them our weakness for their strength? our opprobrium

* Lord Carmarthen.

for their glory ; and the slough of slavery, which we are not able to work off, to serve them for their freedom ?

If this be the case, ask yourselves this question, will they be content in such a state of slavery ? If not, look to the consequences. Reflect how you are to govern a people, who think they ought to be free and think they are not. Your scheme yields no revenue ; it yields nothing but discontent, disorder, disobedience ; and such is the state of America, that after wading up to your eyes in blood, you could only end just where you begun ; that is, to tax where no revenue is to be found, to—my voice fails me ; my inclination indeed carries me no farther—all is confusion beyond it.

Well, sir, I have recovered a little, and before I sit down I must say something to another point with which gentlemen urge us. What is to become of the Declaratory Act asserting the entireness of British legislative authority, if we abandon the practice of taxation ?

For my part I look upon the rights stated in that act, exactly in the manner in which I viewed them on its very first proposition, and which I have often taken the liberty, with great humility, to lay before you. I look, I say, on the imperial rights of Great Britain, and the privileges which the colonists ought to enjoy under these rights, to be just the most reconcilable things in the world. The parliament of Great Britain sits at the head of her extensive empire in two capacities : one as the local legislature of this island, providing for all things at home, immediately, and by no other instrument than the executive power. The other, and I think her nobler capacity, is what I call her *imperial character* ; in which, as from the throne of heaven, she superintends all the several inferior legislatures, and guides and controls them all, without annihilating any. As all these provincial legislatures are only co-ordinate with each other, they ought all to be subordinate to her ; else they can neither preserve mutual peace, nor hope for mutual justice, nor effectually afford mutual assistance. It is necessary to coerce the negligent, to restrain the violent,

and to aid the weak and deficient, by the overruling plenitude of her power. She is never to intrude into the place of the others, whilst they are equal to the common ends of their institution. But in order to enable parliament to answer all these ends of provident and beneficent superintendence, her powers must be boundless. The gentlemen who think the powers of parliament limited, may please themselves to talk of requisitions. But suppose the requisitions are not obeyed? What! Shall there be no reserved power in the empire, to supply a deficiency which may weaken, divide, and dissipate the whole? We are engaged on war—the secretary of state calls upon the colonies to contribute—some would do it, I think most would cheerfully furnish whatever is demanded—one or two, suppose, hang back, and, easing themselves, let the stress of the draft lie on the others—surely it is proper that some authority might legally say—‘Tax yourselves for the common supply, or parliament will do it for you.’ This backwardness was, as I am told, the case of Pennsylvania for some short time towards the beginning of the last war, owing to some internal dissensions in the colony. But whether the fact were so or otherwise, the case is equally to be provided for by a competent sovereign power. But then this ought to be no ordinary power; nor ever used in the first instance. This is what I meant, when I have said at various times, that I consider the power of taxing in parliament as an instrument of empire, and not as a means of supply.

Such, sir, is my idea of the constitution of the British empire, as distinguished from the constitution of Britain; and on these grounds I think subordination and liberty may be sufficiently reconciled through the whole; whether to serve a refining speculatist, or a factious demagogue, I know not; but enough surely for the ease and happiness of man.

Sir, whilst we held this happy course, we drew more from the colonies than all the impotent violence of despotism ever could extort from them. We did this

abundantly in the last war. It has never been once denied—and what reason have we to imagine that the colonies would not have proceeded in supplying government as liberally, if you had not stepped in and hindered them from contributing, by interrupting the channel in which their liberality flowed with so strong a course; by attempting to take, instead of being satisfied to receive? Sir William Temple says that Holland has loaded itself with ten times the impositions which it revolted from Spain rather than submit to. He says true. Tyranny is a poor provider. It knows neither how to accumulate, nor how to extract.

I charge therefore to this new and unfortunate system the loss not only of peace, of union, and of commerce, but even of revenue, which its friends are contending for. It is morally certain, that we have lost at least a million of free grants since the peace. I think we have lost a great deal more; and that those, who look for a revenue from the provinces, never could have pursued, even in that light, a course more directly repugnant to their purposes.

Now, sir, I trust I have shown, first on that narrow ground which the honourable gentleman measured, that you are likely to lose nothing by complying with the motion, except what you have lost already. I have shown afterwards that in time of peace you flourished in commerce and, when war required it, had sufficient aid from the colonies, while you pursued your ancient policy; that you threw everything into confusion when you made the Stamp Act; and that you restored everything to peace and order when you repealed it. I have shown that the revival of the system of taxation has produced the very worst effects; and that the partial repeal has produced, not partial good, but universal evil. Let these considerations, founded on facts, not one of which can be denied, bring us back to our reason by the road of our experience.

I cannot, as I have said, answer for mixed measures: but surely this mixture of lenity would give the whole a better chance of success. When you once regain con-

fidence, the way will be clear before you. Then you may enforce the act of navigation when it ought to be enforced. You will yourselves open it where it ought still further to be opened. Proceed in what you do, whatever you do, from policy, and not from rancour. Let us act like men, let us act like statesmen. Let us hold some sort of consistent conduct.—It is agreed that a revenue is not to be had in America. If we lose the profit, let us get rid of the odium.

On this business of America, I confess I am serious, even to sadness. I have had but one opinion concerning it since I sat, and before I sat, in parliament. The noble lord* will, as usual, probably, attribute the part taken by me and my friends in this business to a desire of getting his places. Let him enjoy this happy and original idea. If I deprived him of it, I should take away most of his wit and all his argument. But I had rather bear the brunt of all his wit, and indeed blows much heavier, than stand answerable to God for embracing a system that tends to the destruction of some of the very best and fairest of his works. But I know the map of England, as well as the noble lord, or as any other person; and I know that the way I take is not the road to preferment. My excellent and honourable friend under me on the floor† has trod that road with great toil for upwards of twenty years together. He is not yet arrived at the noble lord's destination. However, the tracks of my worthy friend are those I have ever wished to follow; because I know they lead to honour. Long may we tread the same road together; whoever may accompany us, or whoever may laugh at us on our journey! I honestly and solemnly declare, I have in all seasons adhered to the system of 1766, for no other reason, than that I think it laid deep in your truest interests—and that, by limiting the exercise, it fixes, on the firmest foundations, a real, consistent well-grounded authority in parliament. Until you come back to that system, there will be no peace for England.

* Lord North.

† Mr. Dowdeswell.

III.

SPEECH ON CONCILIATION WITH
AMERICA.

[March 22, 1775. Of this speech Fox said, twenty years after, 'Let gentlemen read this speech by day, and meditate upon it by night; let them peruse it again and again, study it, imprint it upon their minds, impress it upon their hearts.']

I HOPE, sir, that notwithstanding the austerity of the Chair, your good-nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural that those who have an object depending, which strongly engages their hopes and fears, should be somewhat inclined to superstition. As I came into the House full of anxiety about the event of my motion, I found to my infinite surprise, that the grand penal bill, by which we had passed sentence on the trade and sustenance of America, is to be returned to us from the other House.* I do confess, I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favour, by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this bill, which seemed to have taken its flight for ever, we are at this very instant nearly as free to choose a plan for our American government as we were on the first day of the session. If, sir, we incline to the side of conciliation, we

* The act to restrain the trade and commerce of the provinces of Massachusetts-Bay and New Hampshire, and colonies of Connecticut and Rhode Island, and Providence Plantation, in North America, to Great Britain, Ireland, and the British Islands in the West Indies; and to prohibit such provinces and colonies from carrying on any fishery on the banks of Newfoundland, and other places therein mentioned, under certain conditions and limitations.

are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are therefore called upon, as it were by a superior warning voice, again to attend to America ; to attend to the whole of it together ; and to review the subject with an unusual degree of care and calmness.

Surely it is an awful subject ; or there is none so on this side of the grave. When I first had the honour of a seat in this House, the affairs of that continent pressed themselves upon us as the most important and most delicate object of parliamentary attention.

My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust ; and, having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in everything which relates to our colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the British empire. Something of this sort seemed to be indispensable ; in order, amidst so vast a fluctuation of passions and opinions, to concentrate my thoughts ; to ballast my conduct ; to preserve me from being blown about by every wind of fashionable doctrine. I really did not think it safe, or manly, to have fresh principles to seek upon every fresh mail which should arrive from America.

At that period I had the fortune to find myself in perfect concurrence with a large majority in this House. Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since, without the least deviation, in my original sentiments. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge.

Sir, parliament having an enlarged view of objects, made, during this interval, more frequent changes in

their sentiments and their conduct, than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard anything approaching to a censure on the motive of former parliaments to all those alterations, one fact is undoubted,—that under them the state of America has been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by, an heightening of the distemper; until, by a variety of experiments, that important country has been brought into her present situation;—a situation which I will not miscall, which I dare not name; which I scarcely know how to comprehend in the terms of any description.

In this posture, sir, things stood at the beginning of the session. About that time, a worthy member* of great parliamentary experience who, in the year 1766, filled the chair of the American committee with much ability, took me aside; and, lamenting the present aspect of our politics, told me, things were come to such a pass that our former methods of proceeding in the House would be no longer tolerated. That the public tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity. That the very vicissitudes and shiftings of ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent, which nothing could satisfy; whilst we accused every measure of vigour as cruel and every proposal of lenity as weak and irresolute. The public, he said, would not have patience to see us play the game out with our adversaries: we must produce our hand. It would be expected that those who for many years had been active in such affairs should show that they had formed some clear and decided idea of the principles of colony government; and were capable of drawing out something like a platform of the ground

* Mr. Rose Fuller.

which might be laid for future and permanent tranquillity.

I felt the truth of what my hon. friend represented ; but I felt my situation too. His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better disposed, or worse qualified, for such an undertaking, than myself. Though I gave so far into his opinion that I immediately threw my thoughts into a sort of parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of government except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception ; and for my part, I am not ambitious of ridicule ; not absolutely a candidate for disgrace.

Besides, sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government ; nor of any politics in which the plan is to be wholly separated from the execution. But when I saw that anger and violence prevailed every day more and more ; and that things were hastening towards an incurable alienation of our colonies ; I confess my caution gave way. I felt this, as one of those few moments in which decorum yields to a higher duty. Public calamity is a mighty leveller ; and there are occasions when any, even the slightest, chance of doing good must be laid hold on, even by the most inconsiderable person.

To restore order and repose to an empire so great and so distracted as ours is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious,

even from the idea of my own insignificance. For, judging of what you are, by what you ought to be, I persuaded myself that you would not reject a reasonable proposition because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure that, if my proposition were futile or dangerous,—if it were weakly conceived, or improperly timed, there was nothing exterior to it, of power to awe, dazzle, or delude you. You will see it just as it is; and you will treat it just as it deserves.

The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of universal discord, fomented from principle, in all parts of the empire; not peace to depend on the juridical determination of perplexing questions; or the precise marking the shadowy boundaries of a complex government. It is simple peace; sought in its natural course, and in its ordinary haunts.—It is peace sought in the spirit of peace; and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the *former unsuspecting confidence of the colonies in the mother country*, to give permanent satisfaction to your people; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very same interest, which reconciles them to British government.

My idea is nothing more. Refined policy ever has been the parent of confusion; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is an healing and cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people, when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new

and captivating in it. It has nothing of the splendour of the project, which has been lately laid upon your table by the noble lord in the blue riband.* It does not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace, at every instant, to keep the peace amongst them. It does not institute a magnificent auction of finance, where captivated provinces come to the general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of algebra to equalise and settle.

The plan, which I shall presume to suggest, derives, however, one great advantage from the proposition and registry of that noble lord's project. The idea of conciliation is admissible. First, the House, in accepting the resolution moved by the noble lord, has admitted, notwithstanding the menacing front of our address, notwithstanding our heavy bill of pains and penalties—that we do not think ourselves precluded from all ideas of free grace and bounty.

The House has gone farther; it has declared conciliation admissible, *previous* to any submission on the part of America. It has even shot a good deal beyond that mark, and has admitted, that the complaints of our former mode of exerting the right of taxation were

* 'That when the governor, council, or assembly, or general court, of any of his majesty's provinces or colonies in America, shall *propose* to make provision, *according to the condition, circumstances and situation*, of such province or colony, for contributing their *proportion* to the *common defence* (such *proportion* to be raised under the authority of the general court, or general assembly, of such province or colony, and disposable by parliament), and shall engage to make provision also for the support of the civil government, and the administration of justice, in such province or colony, it will be proper, *if such proposal shall be approved by his majesty, and the two Houses of Parliament*, and for so long as such provision shall be made accordingly, to forbear, *in respect of such province or colony*, to levy any duty, tax, or assessment, or to impose any farther duty, tax, or assessment, except such duties as it may be expedient to continue to levy or impose, for the regulation of commerce; the net produce of the duties last mentioned to be carried to the account of such province or colony respectively.'—Resolution moved by Lord North in the committee; and agreed to by the House, 27th Feb. 1775.

not wholly unfounded. That right thus exerted is allowed to have had something reprehensible in it; something unwise, or something grievous; since, in the midst of our heat and resentment, we, of ourselves, have proposed a capital alteration; and, in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new; one that is, indeed, wholly alien from all the ancient methods and forms of parliament.

The *principle* of this proceeding is large enough for my purpose. The means proposed by the noble lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end; and this I shall endeavour to show you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation; and, where there has been a material dispute, reconciliation does in a manner always imply concession on the one part or the other. In this state of things I make no difficulty in affirming that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honour and with safety. Such an offer from such a power will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed he is wholly at the mercy of his superior; and he loses for ever that time and those chances, which, as they happen to all men, are the strength and resources of all inferior power.

The capital leading questions on which you must this day decide, are these two: First, whether you ought to concede; and, secondly, what your concession ought to be. On the first of these questions we have gained (as I have just taken the liberty of observing to you) some ground. But I am sensible that a good deal more is still to be done. Indeed, sir, to enable us to determine both on the one and the other

of these great questions with a firm and precise judgment, I think it may be necessary to consider distinctly the true nature and the peculiar circumstances of the object which we have before us. Because after all our struggle, whether we will or not, we must govern America according to that nature and to those circumstances ; and not according to our own imaginations ; not according to abstract ideas of right ; by no means according to mere general theories of government, the resort to which appears to me, in our present situation, no better than arrant trifling. I shall therefore endeavour, with your leave, to lay before you some of the most material of these circumstances in as full and as clear a manner as I am able to state them.

The first thing that we have to consider with regard to the nature of the object is—the number of people in the colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below two millions of inhabitants of our own European blood and colour ; besides at least 500,000 others, who form no inconsiderable part of the strength and opulence of the whole. This, sir, is, I believe, about the true number. There is no occasion to exaggerate, where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low is a matter of little moment. Such is the strength with which population shoots in that part of the world that, state the numbers as high as we will, whilst the dispute continues, the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more to manage. Your children do not grow faster from infancy to manhood, than they spread from families to communities, and from villages to nations.

I put this consideration of the present and the growing numbers in the front of our deliberation, because, sir, this consideration will make it evident to a blunter

discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will show you that it is not to be considered as one of those *minima* which are out of the eye and consideration of the law; not a paltry excrescence of the state; not a mean dependent, who may be neglected with little damage, and provoked with little danger. It will prove that some degree of care and caution is required in the handling such an object; it will show that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt; and be assured you will not be able to do it long with impunity.

But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight, if not combined with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod some days ago, and with great ability, by a distinguished person,* at your bar. This gentleman, after thirty-five years—it is so long since he first appeared at the same place to plead for the commerce of Great Britain—has come again before you to plead the same cause, without any other effect of time, than, that to the fire of imagination and extent of erudition, which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

Sir, I should be inexcusable in coming after such a person with any detail; if a great part of the members who now fill the House had not the misfortune to be absent when he appeared at your bar. Besides, sir, I propose to take the matter at periods of time somewhat different from his. There is, if I mistake not, a point of view, from whence if you will look at this

* Mr. Glover.

subject, it is impossible that it should not make an impression upon you.

I have in my hand two accounts ; one a comparative state of the export trade of England to its colonies, as it stood in the year 1704, and as it stood in the year 1772. The other a state of the export trade of this country to its colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in the year 1704. They are from good vouchers ; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the inspector-general's office, which has been ever since his time so abundant a source of parliamentary information.

The export trade to the colonies consists of three great branches. The African which, terminating almost wholly in the colonies, must be put to the account of their commerce ; the West Indian ; and the North American. All these are so interwoven, that the attempt to separate them would tear to pieces the texture of the whole ; and, if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.

The trade to the colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus :

Exports to North America, and the West

Indies	£483,265
To Africa	86,665
	<hr/>
	£569,930
	<hr/>

In the year 1772, which I take as a middle year, between the highest and lowest of those lately laid on your table, the account was as follows :

To North America and the West Indies .	£4,791,734
To Africa	866,398
To which if you add the export trade from Scotland, which had in 1704 no existence	364,000
	<hr/>
	£6,022,132
	<hr/>

From five hundred and odd thousand, it has grown to six millions. It has increased no less than twelve-fold. This is the state of the colony trade, as compared with itself at these two periods, within this country;—and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the colonies alone in 1772 stood in the other point of view, that is, as compared to the whole trade of England in 1704.

The whole export trade of England, in- cluding that to the colonies, in 1704 .	£6,509,000
Export to the colonies alone, in 1772 .	6,024,000
	<hr/>
Difference	£485,000
	<hr/>

The trade with America alone is now within less than £500,000 of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world! If I had taken the largest year of those on your table, it would rather have exceeded. But, it will be said, is not this American trade an unnatural protuberance, that has drawn the juices from the rest of the body? The reverse. It is the very food that has nourished every other part into its present magnitude. Our general trade has been greatly augmented; and augmented more or less in almost every part to which it ever extended; but with this material difference; that of the six millions which in the beginning of the century constituted the whole

mass of our export commerce, the colony trade was but one-twelfth part ; it is now (as a part of sixteen millions) considerably more than a third of the whole. This is the relative proportion of the importance of the colonies at these two periods : and all reasoning concerning our mode of treating them must have this proportion as its basis, or it is a reasoning weak, rotten, and sophistical.

Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. It is good for us to be here. We stand where we have an immense view of what is and what is past. Clouds indeed, and darkness, rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose memory might touch the two extremities. For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et quae sit poterit cognoscere virtus*—Suppose, sir, that the angel of this auspicious youth, foreseeing the many virtues, which made him one of the most amiable, as he is one of the most fortunate men of his age, had opened to him in vision that when, in the fourth generation, the third prince of the house of Brunswick had sat twelve years on the throne of that nation, which (by the happy issue of moderate and healing councils) was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to an higher rank of peerage, whilst he enriched the family with a new one—If amidst these bright and happy scenes of domestic honour and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country and, whilst he was gazing with admiration on the then commercial grandeur of England, the genius should

point out to him a little speck, scarce visible in the mass of the national interest, a small seminal principle, rather than a formed body, and should tell him. —‘Young man, there is America—which at this day serves for little more than to amuse you with stories of savage men, and uncouth manners; yet shall, before you taste of death, show itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a series of seventeen hundred years, you shall see as much added to her by America in the course of a single life!’ If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it? Fortunate man, he has lived to see it! Fortunate indeed, if he lives to see nothing that shall vary the prospect, and cloud the setting of his day!

Excuse me, sir, if, turning from such thoughts, I resume this comparative view once more. You have seen it on a large scale; look at it on a small one. I will point out to your attention a particular instance of it in the single province of Pennsylvania. In the year 1704, that province called for £11,459 in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why, nearly fifty times as much; for in that year the export to Pennsylvania was £507,909, nearly equal to the export to all the colonies together in the first period.

I choose, sir, to enter into these minute and particular details; because generalities, which, in all other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our colonies, fiction lags after truth; invention is unfruitful, and imagination cold and barren.

So far, sir, as to the importance of the object in the view of its commerce, as concerned in the exports from

England. If I were to detail the imports, I could show how many enjoyments they procure, which deceive the burden of life ; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestic commerce. This would be a curious subject indeed—but I must prescribe bounds to myself in a matter so vast and various.

I pass therefore to the colonies in another point of view, their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, has some years ago exceeded a million in value. Of their late harvest, I am persuaded, they will export much more. At the beginning of the century some of those colonies imported corn from the mother country. For some time past, the old world has been fed from the new. The scarcity which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

As to the wealth which the colonies have drawn from the sea by your fisheries, you had all that matter fully opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy ; and yet the spirit by which that enterprising employment has been exercised ought rather, in my opinion, to have raised your esteem and admiration. And pray, sir, what in the world is equal to it ? Pass by the other parts, and look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay and Davis's Straits, whilst we are looking for them beneath the arctic circle, we hear that they have pierced into the opposite region of polar cold, that

they are at the antipodes, and engaged under the frozen serpent of the south. Falkland Island, which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting-place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries. No climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hard industry to the extent to which it has been pushed by this recent people ; a people who are still, as it were, but in the gristle and not yet hardened into the bone of manhood. When I contemplate these things ; when I know that the colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that, through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection ; when I reflect upon these effects, when I see how profitable they have been to us, I feel all the pride of power sink and all presumption in the wisdom of human contrivances melt and die away within me. My rigour relents. I pardon something to the spirit of liberty.

I am sensible, sir, that all which I have asserted in my detail is admitted in the gross ; but that quite a different conclusion is drawn from it. America, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions and their habits. Those who understand the military art will of course have some predilection

for it. Those who wield the thunder of the state may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much more in favour of prudent management, than of force; considering force not as an odious, but a feeble instrument for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connexion with us.

First, sir, permit me to observe that the use of force alone is but *temporary*. It may subdue for a moment; but it does not remove the necessity of subduing again: and a nation is not governed, which is perpetually to be conquered.

My next objection is its *uncertainty*. Terror is not always the effect of force; and an armament is not a victory. If you do not succeed, you are without resource; for, conciliation failing, force remains; but, force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness; but they can never be begged as alms by an impoverished and defeated violence.

A further objection to force is, that you *impair the object* by your very endeavours to preserve it. The thing you fought for is not the thing which you recover; but depreciated, sunk, wasted, and consumed in the contest. Nothing less will content me, than *whole America*. I do not choose to consume its strength along with our own; because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict; and still less in the midst of it. I may escape; but I can make no insurance against such an event. Let me add that I do not choose wholly to break the American spirit; because it is the spirit that has made the country.

Lastly, we have no sort of *experience* in favour of force as an instrument in the rule of our colonies. Their growth and their utility has been owing to method altogether different. Our ancient indulgence has been

said to be pursued to a fault. It may be so. But we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it; and our sin far more salutary than our penitence.

These, sir, are my reasons for not entertaining that high opinion of untried force, by which many gentlemen, for whose sentiments in other particulars I have great respect, seem to be so greatly captivated. But there is still behind a third consideration concerning this object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce, I mean its *temper and character*.

In this character of the Americans, a love of freedom is the predominating feature which marks and distinguishes the whole: and as an ardent is always a jealous affection, your colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies probably than in any other people of the earth; and this from a great variety of powerful causes; which, to understand the true temper of their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

First, the people of the colonies are descendants of Englishmen. England, sir, is a nation, which still I hope respects, and formerly adored, her freedom. The colonists emigrated from you when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands. They are therefore not only devoted to liberty, but to liberty according to English ideas, and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object; and every nation has formed to itself some favourite point, which by way of eminence be-

comes the criterion of their happiness. It happened, you know, sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates ; or on the balance among the several orders of the state. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens, and most eloquent tongues, have been exercised ; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English constitution, to insist on this privilege of granting money as a dry point of fact, and to prove that the right had been acknowledged in ancient parchments, and blind usages, to reside in a certain body called a House of Commons. They went much farther ; they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of a House of Commons, as an immediate representative of the people ; whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle, that in all monarchies the people must in effect themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty could subsist. The colonies draw from you, as with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe, or might be endangered in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse ; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy indeed to make a monopoly of theorems and corollaries. The fact is, that they did

thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination, that they, as well as you, had an interest in these common principles.

They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular in an high degree: some are merely popular; in all, the popular representative is the most weighty; and this share of the people in their ordinary government never fails to inspire them with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance.

If anything were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people is no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit. The people are protestants, and of that kind which is the most adverse to all implicit submission of mind and opinion. This is a persuasion not only favourable to liberty, but built upon it. I do not think, sir, that the reason of this averseness in the dissenting churches, from all that looks like absolute government, is so much to be sought in their religious tenets, as in their history. Everyone knows that the Roman Catholic religion is at least coeval with most of the governments where it prevails; that it has generally gone hand in hand with them, and received great favour and every kind of support from authority. The Church of England too was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world, and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All protestantism, even the

most cold and passive, is a sort of dissent. But the religion most prevalent in our northern colonies is a refinement on the principle of resistance: it is the dissidence of dissent, and the protestantism of the Protestant religion. This religion, under a variety of denominations agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the northern provinces, where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing, most probably, the tenth of the people. The colonists, left England when this spirit was high, and in the emigrants was the highest of all; and even that stream of foreigners which has been constantly flowing into these colonies, has, for the greatest part, been composed of dissenters from the establishments of their several countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive, by their manner, that some gentlemen object to the latitude of this description, because in the southern colonies the Church of England forms a large body, and has a regular establishment. It is certainly true. There is, however, a circumstance attending these colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is, that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom to them is not only an enjoyment, but a kind of rank and privilege. Not seeing there that freedom as in countries where it is a common blessing, and as broad and general as the air, may be united with much object toil, with great misery, with all the exterior of servitude, liberty looks, amongst them, like something that is more noble and liberal. I do not mean, sir, to commend the superior morality of this sentiment, which has at least as much pride as virtue in it;

but I cannot alter the nature of man. The fact is so ; and these people of the southern colonies are much more strongly, and with an higher and more stubborn spirit, attached to liberty, than those to the northward. Such were all the ancient commonwealths ; such were our Gothic ancestors ; such in our days were the Poles ; and such will be all masters of slaves, who are not slaves themselves. In such a people, the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

Permit me, sir, to add another circumstance in our colonies, which contributes no mean part toward the growth and effect of this untractable spirit. I mean their education. In no country perhaps in the world is the law so general a study. The profession itself is numerous and powerful, and in most provinces it takes the lead. The greater number of the deputies sent to the congress were lawyers. But all who read, and most do read, endeavour to obtain some smattering in that science. I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the plantations. The colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of ' Blackstone's Commentaries ' in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states, that all the people in his government are lawyers, or smatterers in law ; and that in Boston they have been enabled, by successful chicane, wholly to evade many parts of one of your capital penal constitutions. The smartness of debate will say, that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honourable and learned friend * on the floor, who condescends to mark out what I say for animadversion, will disdain that ground. He

* The Attorney-general.

has heard, as well as I, that when great honours and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.* This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full of resources. In other countries, the people, more simple, and of a less mercurial cast, judge of an ill principle in government only by an actual grievance; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance, and snuff the approach of tyranny in every tainted breeze.

The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening government. Seas roll, and months pass, between the order and the execution; and the want of a speedy explanation of a single point is enough to defeat a whole system. You have, indeed, winged ministers of vengeance, who carry your bolts in their pounces to the remotest verge of the sea: but there a power steps in, that limits the arrogance of raging passions and furious elements, and says, 'So far shalt thou go, and no farther.' Who are you, that should fret and rage and bite the chains of nature? Nothing worse happens to you than does to all nations who have extensive empire, and it happens in all the forms into which empire can be thrown. In large bodies, the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt, and Arabia, and Curdistan, as he governs Thrace; nor has he the same dominion in Crimea and Algiers, which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The

Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all ; and the whole of the force and vigour of his authority in his centre is derived from a prudent relaxation in all his borders. Spain, in her provinces, is perhaps not so well obeyed as you are in yours. She complies too : she submits ; she watches times. This is the immutable condition, the eternal law, of extensive and detached empire.

Then, sir, from these six capital sources ; of descent ; of form of government ; of religion in the northern provinces ; of manners in the southern ; of education ; of the remoteness of situation from the first mover of government ; from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people in your colonies, and increased with the increase of their wealth ; a spirit that, unhappily meeting with an exercise of power in England, which, however lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame that is ready to consume us.

I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might be desired, more reconcilable with an arbitrary and boundless authority. Perhaps we might wish the colonists to be persuaded that their liberty is more secure when held in trust for them by us (as their guardians during a perpetual minority) than with any part of it in their own hands. The question is, not whether their spirit deserves praise or blame, but,—what, in the name of God, shall we do with it ? You have before you the object ; such as it is, with all its glories, with all its imperfections on its head. You see the magnitude ; the importance ; the temper ; the habits ; the disorders. By all these considerations we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct, which may give a little stability

to our politics, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more untractable form. For what astonishing and incredible things have we not seen already! What monsters have not been generated from this unnatural contention! Whilst every principle of authority and resistance has been pushed, upon both sides, as far as it would go, there is nothing so solid and certain, either in reasoning or in practice, that has not been shaken. Until very lately, all authority in America seemed to be nothing but an emanation from yours. Even the popular part of the colony constitution derived all its activity, and its first vital movement, from the pleasure of the crown. We thought, sir, that the utmost which the discontented colonists could do, was to disturb authority; we never dreamt they could of themselves supply it; knowing in general what an operose business it is to establish a government absolutely new. But having, for our purposes in this contention, resolved, that none but an obedient assembly should sit; the humours of the people there, finding all passage through the legal channel stopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours; and theirs has succeeded. They have formed a government sufficient for its purposes, without the bustle of a revolution, or the troublesome formality of an election. Evident necessity, and tacit consent, have done the business in an instant. So well they have done it, that Lord Dunmore (the account is among the fragments on your table,) tells you, that the new institution is infinitely better obeyed than the ancient government ever was in its most fortunate periods. Obedience is what makes government, and not the names by which it is called; not the name of governor, as formerly, or committee, as at present. This new government has originated directly from the people; and was not transmitted through any of the ordinary artificial media of a positive constitution. It was not

a manufacture ready formed, and transmitted to them in that condition from England. The evil arising from hence is this; that the colonists having once found the possibility of enjoying the advantages of order in the midst of a struggle for liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind as they had appeared before the trial.

Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government of Massachusetts. We were confident that the first feeling, if not the very prospect of anarchy, would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A vast province has now subsisted, and subsisted in a considerable degree of health and vigour, for near a twelvemonth, without governor, without public council, without judges, without executive magistrates. How long it will continue in this state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us that many of those fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be; or that we have not at all adverted to some other far more important, and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against any further experiments which tend to put to the proof any more of these allowed opinions, which contribute so much to the public tranquillity. In effect, we suffer as much at home by this loosening of all ties, and this concussion of all established opinions, as we do abroad. For, in order to prove that the Americans have no right to their liberties, we are every day endeavouring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of freedom

itself ; and we never seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding some of those feelings, for which our ancestors have shed their blood.

But, sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit, which prevails in your colonies, and disturbs your government. These are—to change that spirit, as inconvenient, by removing the causes. To prosecute it as criminal. Or, to comply with it as necessary. I would not be guilty of an imperfect enumeration ; I can think of but these three. Another has indeed been started, that of giving up the colonies ; but it met so slight a reception, that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children ; who, when they cannot get all they would have, are resolved to take nothing.

The first of these plans, to change the spirit as inconvenient, by removing the causes, I think is the most systematic proceeding. It is radical in its principle ; but it is attended with great difficulties ; some of them little short, as I conceive, of impossibilities. This will appear by examining into the plans which have been proposed.

As the growing population of the colonies is evidently one cause of their resistance, it was last session mentioned in both Houses, by men of weight, and received not without applause, that, in order to check this evil, it would be proper for the crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in private hands, as to afford room for

an immense future population, although the crown not only withheld its grants, but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming mischief of population.

But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You cannot station garrisons in every part of these deserts. If you drive the people from one place, they will carry on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they have topped the Apalachian mountains. From thence they behold before them an immense plain, one vast, rich, level meadow: a square of five hundred miles. Over this they would wander without a possibility of restraint; they would change their manners with the habits of their life; would soon forget a government by which they were disowned; would become hordes of English Tartars; and, pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your governors and your counsellors, your collectors and comptrollers, and of all the slaves that adhered to them. Such would, and, in no long time, must be, the effect of attempting to forbid as a crime, and to suppress as an evil, the command and blessing of Providence, 'Increase and multiply.' Such would be the happy result of an endeavour to keep as a lair of wild beasts, that earth, which God, by an express charter, has given to the children of men. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him

piously to believe in the mysterious virtue of wax and parchment. We have thrown each tract of land, as it was peopled, into districts: that the ruling power should never be wholly out of sight. We have settled all we could; and we have carefully attended every settlement with government.

Adhering, sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of hedging-in population to be neither prudent nor practicable.

To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shown a disposition to a system of this kind; a disposition even to continue the restraint after the offence; looking on ourselves as rivals to our colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence as very formidable. In this, however, I may be mistaken. But when I consider, that we have colonies for no purpose but to be serviceable to us, it seems to my poor understanding, a little preposterous, to make them unserviceable, in order to keep them obedient. It is, in truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course; that discontent will increase with misery; and that there are critical moments in the fortune of all states, when they who are too weak to contribute to your prosperity, may be strong enough to complete your ruin. *Spoliatis arma supersunt.*

The temper and character which prevail in our colonies are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people,

and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition; your speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

I think it is nearly as little in our power to change their republican religion, as their free descent; or to substitute the Roman Catholic, as a penalty; or the Church of England, as an improvement. The mode of inquisition and dragooning is going out of fashion in the old world; and I should not confide much to their efficacy in the new. The education of the Americans is also on the same unalterable bottom with their religion. You cannot persuade them to burn their books of curious science; to banish their lawyers from the courts of law; or to quench the lights of their assemblies, by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies, in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us; not quite so effectual; and perhaps, in the end, full as difficult to be kept in obedience.

With regard to the high aristocratic spirit of Virginia and the southern colonies, it has been proposed, I know, to reduce it, by declaring a general enfranchisement of their slaves. This project has had its advocates and panegyrists; yet I never could argue myself into any opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free, as it is to compel freemen to be slaves; and in this auspicious scheme, we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American master may enfranchise too, and arm servile hands in defence of freedom? A measure to which other people

have had recourse more than once, and not without success, in a desperate situation of their affairs.

Slaves as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters? From that nation, one of whose causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic? An offer of freedom from England would come rather oddly shipped to them in an African vessel, which is refused an entry into the ports of Virginia or Carolina, with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain attempting at the same instant to publish his proclamation of liberty, and to advertise his sale of slaves.

But let us suppose all these moral difficulties got over. The ocean remains. You cannot pump this dry; and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue. 'Ye gods, annihilate but space and time, and make two lovers happy!'—was a pious and passionate prayer;—but just as reasonable as many of the serious wishes of very grave and solemn politicians.

If then, sir, it seems almost desperate to think of any alternative course, for changing the moral causes (and not quite easy to remove the natural) which produce prejudices irreconcilable to the late exercise of our authority; but that the spirit infallibly will continue; and, continuing, will produce such effects, as now embarrass us; the second mode under consideration is, to prosecute that spirit in its overt acts, as *criminal*.

At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem, to my way of conceiving such matters, that there is a very wide difference in reason and policy, between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men, who disturb order within the state,

and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic, to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against an whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures, as Sir Edward Coke insulted one excellent individual (Sir Walter Raleigh) at the bar. I am not ripe to pass sentence on the gravest public bodies, entrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think, that for wise men this is not judicious; for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

Perhaps, sir, I am mistaken in my idea of an empire, as distinguished from a single state or kingdom. But my idea of it is this; that an empire is the aggregate of many states under one common head; whether this head be a monarch, or a presiding republic. It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority the line may be extremely nice. Of course disputes, often too, very bitter disputes, and much ill blood, will arise. But though every privilege is an exemption (in the case) from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex vi termini*, to imply a superior power. For to talk of the privileges of a state, or of a person, who has no superior, is hardly any better than speaking nonsense. Now, in such unfortunate quarrels among the component parts of a great political union of communities, I can scarcely conceive anything more completely imprudent, than for the head of the empire to insist that, if any privilege is pleaded against his will,

or his acts, his whole authority is denied ; instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, sir, very soon teach the provinces to make no distinctions on their part ? Will it not teach them that the government, against which a claim of liberty is tantamount to high treason, is a government to which submission is equivalent to slavery ? It may not always be quite convenient to impress dependent communities with such an idea.

We are, indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, sir. But I confess, that the character of judge in my own cause is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect, that, in my little reading upon such contests as these, the sense of mankind has, at least, as often decided against the superior as the subordinate power. Sir, let me add too, that the opinion of my having some abstract right in my favour would not put me much at my ease in passing sentence ; unless I could be sure, that there were no rights which, in their exercise under certain circumstances, were not the most odious of all wrongs, and the most vexatious of all injustice. Sir, these considerations have great weight with me, when I find things so circumstanced, that I see the same party, at once a civil litigant against me in point of right, and a culprit before me ; while I sit as criminal judge, on acts of his, whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations ; but justice is the same, let the judge be in what situation he will.

There is, sir, also a circumstance which convinces me that this mode of criminal proceeding is not (at least

in the present stage of our contest) altogether expedient; which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a rebellion in Massachusetts's Bay, as they had formerly addressed to have traitors brought hither, under an act of Henry VIII, for trial. For though rebellion is declared, it is not proceeded against as such; nor have any steps been taken towards the apprehension or conviction of any individual offender, either on our late or our former address; but modes of public coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility towards an independent power than the punishment of rebellious subjects. All this seems rather inconsistent; but it shows how difficult it is to apply these judicial ideas to our present case.

In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous? What advances have we made towards our object, by the sending of a force, which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less.—When I see things in this situation, after such confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion, that the plan itself is not correctly right.

If then the removal of the causes of this spirit of American liberty be, for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable, or if applicable, are in the highest degree inexpedient; what way yet remains? No way is open, but the third and last—to comply with the American spirit as necessary; or, if you please, to submit to it as a necessary evil.

If we adopt this mode; if we mean to conciliate and concede; let us see of what nature the concession ought to be: to ascertain the nature of our concession,

we must look at their complaint. The colonies complain, that they have not the characteristic mark and seal of British freedom. They complain, that they are taxed in a parliament in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask ; not what you may think better for them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession ; whereas our present theme is the mode of giving satisfaction.

Sir, I think you must perceive, that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle—but it is true ; I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine, whether the giving away a man's money be a power excepted and reserved out of the general trust of government ; and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature. Or whether, on the contrary, a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other ; where reason is perplexed ; and an appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides ; and there is no sure footing in the middle. This point is the *great Serbonian bog, betwixt Damietta and Mount Casius old, where armies whole have sunk*. I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable ; but whether it is not your

interest to make them happy. It is not, what a lawyer tells me I *may* do ; but what humanity, reason, and justice, tell me I ought to do. Is a politic act the worse for being a generous one ? Is no concession proper, but that which is made from your want of right to keep what you grant ? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence-room full of titles and your magazines stuffed with arms to enforce them ? What signify all those titles, and all those arms ? Of what avail are they, when the reason of the thing tells me, that the assertion of my title is the loss of my suit ; and that I could do nothing but wound myself by the use of my own weapons ?

Such is steadfastly my opinion of the absolute necessity of keeping up the concord of this empire by a unity of spirit, though in a diversity of operations, that, if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude ; that they had solemnly abjured all the rights of citizens ; that they had made a vow to renounce all ideas of liberty for them and their posterity, to all generations ; yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two millions of men, impatient of servitude, on the principles of freedom. I am not determining a point of law ; I am restoring tranquillity ; and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

My idea, therefore, without considering whether we yield as matter of right, or grant as matter of favour, is *to admit the people of our colonies into an interest in the constitution* ; and, by recording that admission in the journals of parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean for ever to adhere to that solemn declaration of systematic indulgence.

Some years ago, the repeal of a revenue act, upon

its understood principle, might have served to show that we intended an unconditional abatement of the exercise of a taxing power. Such a measure was then sufficient to remove all suspicion, and to give perfect content. But unfortunate events, since that time, may make something further necessary ; and not more necessary for the satisfaction of the colonies, than for the dignity and consistency of our own future proceedings.

I have taken a very incorrect measure of the disposition of the House, if this proposal in itself would be received with dislike. I think, sir, we have few American financiers. But our misfortune is, we are too acute ; we are too exquisite in our conjectures of the future, for men oppressed with such great and present evils. The more moderate among the opposers of parliamentary concession freely confess that they hope no good from taxation ; but they apprehend the colonists have further views ; and if this point were conceded, they would instantly attack the trade laws. These gentlemen are convinced that this was the intention from the beginning ; and the quarrel of the Americans with taxation was no more than a cloak and cover to this design. Such has been the language even of a gentleman * of real moderation and of a natural temper so well adjusted to fair and equal government. I am, however, sir, not a little surprised at this kind of discourse, whenever I hear it ; and I am the more surprised, on account of the arguments which I constantly find in company with it and which are often urged from the same mouths, and on the same day.

For instance, when we allege that it is against reason to tax a people under so many restraints in trade as the Americans, the noble lord † in the blue riband shall tell you, that the restraints on trade are futile and useless ; of no advantage to us, and of no burden to those on whom they are imposed ; that the trade to America is not secured by the acts of navigation, but by the

* Mr. Rice.

† Lord North.

natural and irresistible advantage of a commercial preference.

Such is the merit of the trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes ; when the scheme is dissected ; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the colonies ; when these things are pressed, or rather press themselves, so as to drive the advocates of colony taxes to a clear admission of the futility of the scheme ; then, sir, the sleeping trade laws revive from their trance ; and this useless taxation is to be kept sacred, not for its own sake, but as a counter-guard and security of the laws of trade.

Then, sir, you keep up revenue laws which are mischievous, in order to preserve trade laws that are useless. Such is the wisdom of our plan in both its members. They are separately given up as of no value ; and yet one is always to be defended for the sake of the other. But I cannot agree with the noble lord, nor with the pamphlet from whence he seems to have borrowed these ideas, concerning the inutility of the trade laws. For, without idolizing them, I am sure they are still, in many ways, of great use to us ; and in former times, they have been of the greatest. They do confine, and they do greatly narrow, the market for the Americans. But my perfect conviction of this does not help me in the least to discern how the revenue laws form any security whatsoever to the commercial regulations ; or that these commercial regulations are the true ground of the quarrel ; or that the giving way, in any one instance of authority, is to lose all that may remain unconceded.

One fact is clear and indisputable. The public and avowed origin of this quarrel was on taxation. This quarrel has indeed brought on new disputes on new questions ; but certainly the least bitter, and the fewest of all, on the trade laws. To judge which of the two

be the real, radical cause of quarrel, we have to see whether the commercial dispute did, in order of time, precede the dispute on taxation? There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the trade laws be the real cause of quarrel, it is absolutely necessary to put the taxes out of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain. Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, sir, recommend to your serious consideration, whether it be prudent to form a rule for punishing people, not on their own acts, but on your conjectures. Surely it is preposterous at the very best. It is not justifying your anger, by their misconduct; but it is converting your ill-will into their delinquency.

But the colonies will go further.—Alas! alas! when will this speculating against fact and reason end?—What will quiet these panic fears which we entertain of the hostile effect of a conciliatory conduct? Is it true that no case can exist, in which it is proper for the sovereign to accede to the desires of his discontented subjects? Is there anything peculiar in this case, to make a rule for itself? Is all authority of course lost, when it is not pushed to the extreme? Is it a certain maxim, that, the fewer causes of dissatisfaction are left by government, the more the subject will be inclined to resist and rebel?

All these objections being in fact no more than suspicions, conjectures, divinations, formed in defiance of fact and experience; they did not, sir, discourage me from entertaining the idea of a conciliatory concession, founded on the principles which I have just stated.

In forming a plan for this purpose, I endeavoured to

put myself in that frame of mind which was the most natural, and the most reasonable ; and which was certainly the most probable means of securing me from all error. I set out with a perfect distrust of my own abilities ; a total renunciation of every speculation of my own ; and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a constitution, and so flourishing an empire, and what is a thousand times more valuable, the treasury of the maxims and principles which formed the one, and obtained the other.

During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils, it was common for their statesmen to say, that they ought to consult the genius of Philip II. The genius of Philip II might mislead them ; and the issue of their affairs showed, that they had not chosen the most perfect standard. But, sir, I am sure that I shall not be misled, when, in a case of constitutional difficulty, I consult the genius of the English constitution. Consulting at that oracle (it was with all due humility and piety) I found four capital examples in a similar case before me ; those of Ireland, Wales, Chester, and Durham.

Ireland, before the English conquest, though never governed by a despotic power, had no parliament. How far the English parliament itself was at that time modelled according to the present form, is disputed among antiquaries. But we have all the reason in the world to be assured, that a form of parliament, such as England then enjoyed, she instantly communicated to Ireland ; and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal baronage, and the feudal knighthood, the roots of our primitive constitution, were early transplanted into that soil ; and grew and flourished there. Magna Charta, if it did not give us originally the House of Commons, gave us at least a House of Commons of

weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to *all* Ireland. Mark the consequence. English authority and English liberty had exactly the same boundaries. Your standard could never be advanced an inch before your privileges. Sir John Davis shows beyond a doubt that the refusal of a general communication of these rights was the true cause why Ireland was five hundred years in subduing; and after the vain projects of a military government, attempted in the reign of Queen Elizabeth, it was soon discovered, that nothing could make that country English, in civility and allegiance, but your laws and your forms of legislature. It was not English arms, but the English constitution, that conquered Ireland. From that time Ireland has ever had a general parliament, as she had before a partial parliament. You changed the people; you altered the religion; but you never touched the form or the vital substance of free government in that kingdom. You deposed kings; you restored them; you altered the succession to theirs, as well as to your own crown; but you never altered their constitution; the principle of which was respected by usurpation; restored with the restoration of monarchy, and established, I trust, for ever, by the glorious Revolution. This has made Ireland the great and flourishing kingdom that it is; and from a disgrace and a burden intolerable to this nation, has rendered her a principal part of our strength and ornament. This country cannot be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles, and on the linge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your own liberties could stand a moment if the casual deviations from them, at such times, were

suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches in the constitution, judge what the stated and fixed rule of supply has been in that kingdom. Your Irish pensioners would starve if they had no other fund to live on than taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come; and learn to respect that only source of public wealth in the British empire.

My next example is Wales. This country was said to be reduced by Henry III. It was said more truly to be so by Edward I. But though then conquered, it was not looked upon as any part of the realm of England. Its old constitution, whatever that might have been, was destroyed; and no good one was substituted in its place. The care of that tract was put into the hands of lords marchers—a form of government of a very singular kind; a strange heterogeneous monster, something between hostility and government; perhaps it has a sort of resemblance, according to the modes of those times, to that of commander-in-chief at present, to whom all civil power is granted as secondary. The manners of the Welsh nation followed the genius of the government; the people were ferocious, restive, savage, and uncultivated; sometimes composed, never pacified. Wales, within itself, was in perpetual disorder; and it kept the frontier of England in perpetual alarm. Benefits from it to the state there were none. Wales was only known to England by incursion and invasion.

Sir, during that state of things, parliament was not idle. They attempted to subdue the fierce spirit of the Welsh by all sorts of rigorous laws. They prohibited by statute the sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt on the legality) the sending arms to America. They disarmed the Welsh by statute, as you attempted (but still with more question on the legality) to disarm New England by an instruction. They made

an act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another act, where one of the parties was an Englishman, they ordained, that his trial should be always by English. They made acts to restrain trade, as you do ; and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the statute-book was not quite so much swelled as it is now, you find no less than fifteen acts of penal regulation on the subject of Wales.

Here we rub our hands—A fine body of precedents for the authority of Parliament and the use of it ! I admit it fully ; and pray add likewise to those precedents that all the while, Wales rid this kingdom like an *incubus* ; that it was an unprofitable and oppressive burden ; and that an Englishman travelling in that country could not go six yards from the high road without being murdered.

The march of the human mind is slow. Sir, it was not until after two hundred years discovered, that, by an eternal law, Providence had decreed vexation to violence ; and poverty to rapine. Your ancestors did, however, at length open their eyes to the ill-husbandry of injustice. They found that the tyranny of a free people could of all tyrannies the least be endured ; and that laws made against a whole nation were not the most effectual methods for securing its obedience. Accordingly, in the twenty-seventh year of Henry VIII the course was entirely altered. With a preamble stating the entire and perfect rights of the crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established ; the military power gave way to the civil ; the marches were turned into counties. But that a nation should have a right to English liberties, and yet no share at all in the fundamental security of these liberties—the grant of their own property—seemed a thing so incongruous that, eight years after, that is, in the thirty-

fifth of that reign, a complete and not ill-proportioned representation by counties and boroughs was bestowed upon Wales, by act of parliament. From that moment, as by a charm, the tumults subsided ; obedience was restored ; peace, order, and civilization followed in the train of liberty. When the day-star of the English constitution had arisen in their hearts, all was harmony within and without—

. . . . Simul alba nautis
 Stella refulsit,
 Defluit saxis agitatus humor ;
 Concidunt venti, fugiuntque nubes,
 Et minax (quòd sic voluere) ponto
 Unda recumbit.

The very same year the county palatine of Chester received the same relief from its oppressions, and the same remedy to its disorders. Before this time Chester was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to destroy the rights of others ; and from thence Richard II drew the standing army of archers with which for a time he oppressed England. The people of Chester applied to parliament in a petition penned as I shall read to you :

‘ To the king our sovereign lord, in most humble wise shown unto your excellent majesty, the inhabitants of your grace’s county palatine of Chester ; That where the said county palatine of Chester is and hath been always hitherto exempt, excluded and separated out and from your high court of parliament, to have any knights and burgesses within the said court ; by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses, and damages, as well in their lands, goods, and bodies, as in the good, civil, and politic governance and maintenance of the commonwealth of their said country : (2) And forasmuch as the said inhabitants have always hitherto been bound by the acts and statutes made and ordained by your said highness, and your most noble progenitors, by

authority of the said court, as far forth as other counties, cities, and boroughs have been, that have had their knights and burgesses within your said court of parliament, and yet have had neither knight ne burgess there for the said county palatine; the said inhabitants, for lack thereof, have been oftentimes touched and grieved with acts and statutes made within the said court, as well derogatory unto the most ancient jurisdictions, liberties and privileges of your said county palatine, as prejudicial unto the commonwealth, quietness, rest, and peace of your grace's most bounden subjects inhabiting within the same.'

What did parliament with this audacious address?—Reject it as a libel? Treat it as an affront to government? Spurn it as a derogation from the rights of legislature? Did they toss it over the table? Did they burn it by the hands of the common hangman?—They took the petition of grievance, all rugged as it was, without softening or temperament, unpurged of the original bitterness and indignation of complaint; they made it the very preamble to their act of redress; and consecrated its principle to all ages in the sanctuary of legislation.

Here is my third example. It was attended with the success of the two former. Chester, civilized as well as Wales, has demonstrated that freedom and not servitude is the cure of anarchy; as religion, and not atheism, is the true remedy for superstition. Sir, this pattern of Chester was followed in the reign of Charles II. with regard to the county palatine of Durham, which is my fourth example. This county had long lain out of the pale of free legislation. So scrupulously was the example of Chester followed, that the style of the preamble is nearly the same with that of the Chester act; and, without affecting the abstract extent of the authority of parliament, it recognizes the equity of not suffering any considerable district, in which the British subjects may act as a body, to be taxed without their own voice in the grant.

Now if the doctrines of policy contained in these preambles, and the force of these examples in the acts of parliaments, avail anything, what can be said against applying them with regard to America? Are not the people of America as much Englishmen as the Welsh? The preamble of the act of Henry VIII says the Welsh speak a language no way resembling that of his majesty's English subjects. Are the Americans not as numerous? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take that as a standard to measure the rest, there is no comparison. The people cannot amount to above 200,000; not a tenth part of the number in the colonies. Is America in rebellion? Wales was hardly ever free from it. Have you attempted to govern America by penal statutes? You made fifteen for Wales. But your legislative authority is perfect with regard to America; was it less perfect in Wales, Chester, and Durham? But America is virtually represented, What! does the electric force of virtual representation more easily pass over the Atlantic, than pervade Wales, which lies in your neighbourhood; or than Chester and Durham, surrounded by abundance of representation. that is actual and palpable? But, sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the inhabitants of territories that are so near, and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater, and infinitely more remote?

You will now, sir, perhaps imagine, that I am on the point of proposing to you a scheme for a representation of the colonies in parliament. Perhaps I might be inclined to entertain some such thought; but a great flood stops me on my course. *Opposuit natura*—I cannot remove the eternal barriers of the creation. The thing, in that mode, I do not know to be possible. As I meddle with no theory, I do not absolutely assert the impracticability of such a representation.

But I do not see my way to it ; and those who have been more confident have not been more successful. However, the arm of public benevolence is not shortened ; and there are often several means to the same end. What nature has disjoined in one way, wisdom may unite in another. When we cannot give the benefit as we would wish, let us not refuse it altogether. If we cannot give the principal, let us find a substitute. But how ? Where ? What substitute ?

Fortunately I am not obliged for the ways and means of this substitute to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths ; not to the Republic of Plato, not to the Utopia of More ; not to the Oceana of Harrington. It is before me—it is at my feet, *and the rude swain treads daily on it with his clouted shoon*. I only wish you to recognize, for the theory, the ancient constitutional policy of this kingdom with regard to representation, as that policy has been declared in acts of parliament ; and, as to the practice, to return to that mode which an uniform experience has marked out to you, as best ; and in which you walked with security, advantage, and honour, until the year 1763.

My resolutions therefore mean to establish the equity and justice of a taxation of America, by *grant*, and not by *imposition*. To mark the *legal competency* of the colony assemblies for the support of their government in peace, and for public aids in time of war. To acknowledge that this legal competency has had a *dutiful and beneficial exercise* ; and that experience has shown the *benefit of their grants*, and the *futility of parliamentary taxation as a method of supply*.

These solid truths compose six fundamental propositions. There are three more resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the

last. I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of my existence that, if you admitted these, you would command an immediate peace ; and with but tolerable future management, a lasting obedience in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact ; and if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth and not any management of mine.

Sir, I shall open the whole plan to you together, with such observations on the motions as may tend to illustrate them where they may want explanation. The first is a resolution—‘ That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.’ This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the constitution ; it is taken nearly *verbatim* from acts of parliament.

The second is like unto the first—‘ That the said colonies and plantations have been liable to, and bounded by, several subsidies, payments, rates, and taxes, given and granted by parliament, though the said colonies and plantations have not their knights and burgesses in the said high court of parliament, of their own election, to represent the condition of their country ; by lack whereof they have been oftentimes touched and grieved by subsidies given, granted, and assented to, in the said court, in a manner prejudicial to the commonwealth, quietness, rest, and peace of the subjects inhabiting within the same.’

Is this description too hot, or too cold, too strong, or too weak ? Does it arrogate too much to the supreme

legislature? Does it lean too much to the claims of the people? If it runs into any of these errors, the fault is not mine. It is the language of your own ancient acts of parliament.

*Non meus hic sermo, sed quae praecepit Ofellus,
Rusticus, abnormis sapiens.*

It is the genuine produce of the ancient, rustic, manly, home-bred sense of this country. I did not dare to rub off a particle of the venerable rust that rather adorns and preserves, than destroys, the metal. It would be a profanation to touch with a tool the stones which construct the sacred altar of peace. I would not violate with modern polish the ingenuous and noble roughness of these truly constitutional materials. Above all things, I was resolved not to be guilty of tampering: the odious vice of restless and unstable minds. I put my foot in the tracks of our forefathers; where I can neither wander nor stumble. Determining to fix articles of peace, I was resolved not to be wise beyond what was written; I was resolved to use nothing else than the form of sound words; to let others abound in their own sense; and carefully to abstain from all expressions of my own. What the law has said, I say. In all things else I am silent. I have no organ but for her words. This, if it be not ingenious, I am sure is safe.

There are indeed words expressive of grievance in this second resolution, which those who are resolved always to be in the right will deny to contain matter of fact, as applied to the present case; although parliament thought them true, with regard to the counties of Chester and Durham. They will deny that the Americans were ever 'touched and grieved' with the taxes. If they consider nothing in taxes but their weight as pecuniary impositions, there might be some pretence for this denial. But men may be sorely touched and deeply grieved in their privileges, as well as in their purses. Men may lose little in property by the act

which takes away their freedom. When a man is robbed of a trifle on the highway, it is not the two-pence lost that constitutes the capital outrage. This is not confined to privileges. Even ancient indulgences withdrawn, without offence on the part of those who enjoyed such favours, operate as grievances. But were the Americans then not touched and grieved by the taxes, in some measure, merely as taxes? If so, why were they almost all either wholly repealed or exceedingly reduced? Were they not touched and grieved even by the regulating duties of the sixth of George II? Else why were the duties first reduced to one-third in 1764, and afterwards to a third of that third in the year 1766? Were they not touched and grieved by the Stamp Act? I shall say they were, until that tax is revived. Were they not touched and grieved by the duties of 1767, which were likewise repealed, and which Lord Hillsborough tells you (for the ministry) were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the colonies of a resolution to lay no more taxes on them, an admission that taxes would touch and grieve them? Is not the resolution of the noble lord in the blue riband, now standing on your journals, the strongest of all proofs that parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances, and resolutions?

The next proposition is—‘That, from the distance of the said colonies, and from other circumstances, no method hath hitherto been devised for procuring a representation in parliament for the said colonies.’ This is an assertion of a fact. I go no further on the paper; though, in my private judgment, an useful representation is impossible; I am sure it is not desired by them; nor ought it perhaps by us; but I abstain from opinions.

The fourth resolution is—‘That each of the said colonies hath within itself a body, chosen in part, or in the whole, by the freemen, freeholders, or other free

inhabitants thereof, commonly called the general assembly or general court; with powers legally to raise, levy, and assess, according to the several usage of such colonies, duties and taxes towards defraying all sorts of public services.'

This competence in the colony assemblies is certain. It is proved by the whole tenor of their acts of supply in all the assemblies, in which the constant style of granting is, 'an aid to his majesty'; and acts granting to the crown have regularly for near a century passed the public offices without dispute. Those who have been pleased paradoxically to deny this right, holding that none but the British parliament can grant to the crown, are wished to look to what is done, not only in the colonies, but in Ireland, in one uniform unbroken tenor every session. Sir, I am surprised that this doctrine should come from some of the law servants of the crown. I say, that if the crown could be responsible, his majesty—but certainly the ministers, and even these law officers themselves, through whose hands the acts pass biennially in Ireland, or annually in the colonies, are in an habitual course of committing impeachable offences. What habitual offenders have been all presidents of the council, all secretaries of state, all first lords of trade, all attornies and all solicitors general! However, they are safe; as no one impeaches them; and there is no ground of charge against them, except in their own unfounded theories.

The fifth resolution is also a resolution of fact—'That the said general assemblies, general courts, or other bodies legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his majesty's service, according to their abilities, when required thereto by letter from one of his majesty's principal secretaries of state; and that their right to grant the same, and their cheerfulness and sufficiency in the said grants, have been at sundry times acknowledged by parliament.' To say nothing

of their great expenses in the Indian wars; and not to take their exertion in foreign ones, so high as the supplies in the year 1695; not to go back to their public contributions in the year 1710; I shall begin to travel only where the journals give me light; resolving to deal in nothing but fact, authenticated by parliamentary record; and to build myself wholly on that solid basis.

On the 4th of April, 1748,* a committee of this House came to the following resolution:

‘Resolved,

‘That it is the opinion of this committee, *That it is just and reasonable* that the several provinces and colonies of Massachusetts’s Bay, New Hampshire, Connecticut, and Rhode Island, be reimbursed the expenses they have been at in taking and securing to the crown of Great Britain the island of Cape Breton and its dependencies.’

These expenses were immense for such colonies. They were above £200,000 sterling; money first raised and advanced on their public credit.

On the 28th of January, 1756,† a message from the king came to us, to this effect—‘His majesty, being sensible of the zeal and vigour with which his faithful subjects of certain colonies in North America have exerted themselves in defence of his majesty’s just rights and possessions, recommends it to this House to take the same into their consideration, and to enable his majesty to give them such assistance as may be a *proper reward and encouragement*.’

On the 3rd of February, 1756,‡ the House came to a suitable resolution, expressed in words nearly the same as those of the message; but with the further addition, that the money then voted was as an *encouragement* to the colonies to exert themselves with vigour. It will not be necessary to go through all the testimonies which your own records have given to the

* Journals of the House, vol. xxv.

† Ibid. vol. xxvii.

‡ Ibid.

truth of my resolutions, I will only refer you to the places in the journals :—

Vol. xxvii.—16th and 19th May, 1757.

Vol. xxviii.—June 1st, 1758—April 26th and 30th,
1759—March 26th and 31st, and April
28th, 1760—Jan. 9th and 20th, 1761.

Vol. xxix.—Jan. 22nd and 26th, 1762—March 14th
and 17th, 1763.

Sir, here is the repeated acknowledgment of parliament, that the colonies not only gave, but gave to satiety. This nation has formally acknowledged two things ; first, that the colonies had gone beyond their abilities, parliament having thought it necessary to reimburse them ; secondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, since the compensation is expressly given as reward and encouragement. Reward is not bestowed for acts that are unlawful ; and encouragement is not held out to things that deserve reprehension. My resolution therefore does nothing more than collect into one proposition, what is scattered through your journals. I give you nothing but your own ; and you cannot refuse in the gross what you have so often acknowledged in detail. The admission of this, which will be so honourable to them and to you, will, indeed, be mortal to all the miserable stories, by which the passions of the misguided people have been engaged in an unhappy system. The people heard, indeed, from the beginning of these disputes, one thing continually dinned in their ears, that reason and justice demanded, that the Americans, who paid no taxes, should be compelled to contribute. How did that fact, of their paying nothing, stand, when the taxing system began ? When Mr. Grenville began to form his system of American revenue, he stated in this House, that the colonies were then in debt two million six hundred thousand pounds sterling money ; and was of opinion

they would discharge that debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mistaken. The funds given for sinking the debt did not prove quite so ample as both the colonies and he expected. The calculation was too sanguine: the reduction was not completed till some years after, and at different times in different colonies. However, the taxes after the war continued too great to bear any addition, with prudence or propriety; and when the burdens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No colony, since that time, ever has had any requisition whatsoever made to it.

We see the sense of the crown, and the sense of parliament, on the productive nature of a *revenue by grant*. Now search the same journals for the produce of the *revenue by imposition*—Where is it?—let us know the volume and the page—what is the gross, what is the net produce?—to what service is it applied?—how have you appropriated its surplus?—What, can none of the many skilful index-makers, that we are now employing, find any trace of it?—Well, let them and that rest together.—But are the journals, which say nothing of the revenue, as silent on the discontent?—Oh, no! a child may find it. It is the melancholy burden and blot of every page.

I think, then, I am, from those journals, justified in the sixth and last resolution, which is—‘That it hath been found by experience, that the manner of granting the said supplies and aids, by the said general assemblies, hath been more agreeable to the said colonies, and more beneficial, and conducive to the public service, than the mode of giving and granting aids in parliament, to be raised and paid in the said colonies.’ This makes the whole of the fundamental part of the plan. The conclusion is irresistible. You cannot say, that you were driven by any necessity to an exercise of the

utmost rights of legislature. You cannot assert, that you took on yourselves the task of imposing colony taxes, from the want of another legal body, that is competent to the purpose of supplying the exigencies of the state without wounding the prejudices of the people. Neither is it true that the body so qualified, and having that competence, had neglected the duty.

The question now, on all this accumulated matter, is ;—whether you will choose to abide by a profitable experience, or a mischievous theory? whether you choose to build on imagination or fact? whether you prefer enjoyment or hope? satisfaction in your subjects, or discontent?

If these propositions are accepted, everything which has been made to enforce a contrary system, must, I take it for granted, fall along with it. On that ground, I have drawn the following resolution, which, when it comes to be moved, will naturally be divided in a proper manner: ‘That it may be proper to repeal an act, made in the seventh year of the reign of his present majesty, intituled, An act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation from this kingdom of coffee and cocoa-nuts of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on China earthenware exported to America; and for more effectually preventing the clandestine running of goods in the said colonies and plantations.—And that it may be proper to repeal an act, made in the fourteenth year of the reign of his present majesty, intituled, An act to discontinue, in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping, of goods, wares, and merchandise, at the town and within the harbour of Boston, in the province of Massachusetts’s Bay, in North America.—And that it may be proper to repeal an act, made in the fourteenth year of the reign of his present majesty, intituled, An act for the impartial

administration of justice, in the cases of persons questioned for any acts done by them, in the execution of the law, or for the suppression of riots and tumults, in the province of Massachusetts's Bay, in New England.—And that it may be proper to repeal an act, made in the fourteenth year of the reign of his present majesty, intituled, An act for the better regulating the government of the province of Massachusetts's Bay, in New England.—And, also, that it may be proper to explain and amend an act, made in the thirty-fifth year of the reign of King Henry VIII, intituled, An act for the trial of treasons committed out of the king's dominions.'

I wish, sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the king's pleasure) it was passed, as I apprehend, with less regularity, and on more partial principles, than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. Even the restraining bill of the present session does not go to the length of the Boston Port Act. The same ideas of prudence, which induced you not to extend equal punishment to equal guilt, even when you were punishing, induce me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

Ideas of prudence and accommodation to circumstances prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachusetts's colony, though the crown has far less power in the two former provinces than it enjoyed in the latter; and though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the charter of Massachusetts's Bay. Besides, sir, the act which changes the charter of Massachusetts's is in many particulars so exceptionable, that if I did not wish abso-

lutely to repeal, I would by all means desire to alter it ; as several of its provisions tend to the subversion of all public and private justice. Such, among others, is the power in the governor to change the sheriff at his pleasure ; and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English laws.

The act for bringing persons accused of committing murder under the orders of government to England for trial is but temporary. That act has calculated the probable duration of our quarrel with the colonies ; and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation ; and therefore must, on my principle, get rid of that most justly obnoxious act.

The act of Henry VIII, for the trial of treasons, I do not mean to take away, but to confine it to its proper bounds and original intention ; to make it expressly for trial of treasons (and the greatest treasons may be committed) in places where the jurisdiction of the crown does not extend.

Having guarded the privileges of local legislature, I would next secure to the colonies a fair and unbiassed judicature ; for which purpose, sir, I propose the following resolution : ' That, from the time when the general assembly or general court of any colony or plantation in North America, shall have appointed by act of assembly, duly confirmed, a settled salary to the offices of the chief justice and other judges of the superior court, it may be proper that the said chief justice and other judges of the superior courts of such colony, shall hold his and their office and offices during their good behaviour ; and shall not be removed therefrom, but when the said removal shall be adjudged by his majesty in council, upon a hearing on complaint from the general assembly, or on a complaint from the governor, or council, or the house of representation severally, of the colony in which the said chief justice and other judges have exercised the said offices.'

The next resolution relates to the courts of admiralty.

It is this:—‘ That it may be proper to regulate the courts of admiralty, or vice admiralty, authorized by the 15th chap. of the 4th of George III, in such a manner as to make the same more commodious to those who sue, or are sued, in the said courts, and to provide for the more decent maintenance of the judges in the same.’

These courts I do not wish to take away ; they are in themselves proper establishments. This court is one of the capital securities of the act of navigation. The extent of its jurisdiction, indeed, has been increased ; but this is altogether as proper, and is, indeed, on many accounts, more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated, in effect, deny justice ; and a court, partaking in the fruits of its own condemnation, is a robber. The congress complain, and complain justly, of this grievance.*

These are the three consequential propositions. I have thought of two or three more ; but they came rather too near detail, and to the province of executive government ; which I wish parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed, will be, I hope, rather unseemly incumbrances on the building than very materially detrimental to its strength and stability.

Here, sir, I should close ; but that I plainly perceive some objections remain, which I ought, if possible, to remove. The first will be, that, in resorting to the doctrine of our ancestors, as contained in the preamble to the Chester act, I prove too much ; that the grievance from a want of representation stated in that preamble goes to the whole of legislation as well as to

* The solicitor-general informed Mr. B. when the resolutions were separately moved, that the grievance of the judges partaking of the profits of the seizure had been redressed by office ; accordingly the resolution was amended.

taxation. And that the colonies, grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

To this objection, with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer, that *the words are the words of parliament, and not mine* ; and that all false and inconclusive inferences drawn from them, are not mine ; for I heartily disclaim any such inference. I have chosen the words of an act of parliament, which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of parliament, formerly moved to have read at your table in confirmation of his tenets. It is true, that Lord Chatham considered these preambles as declaring strongly in favour of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume, that these preambles are as favourable as possible to both, when properly understood ; favourable both to the rights of parliament, and to the privileges of the dependencies of this crown ? But, sir, the object of grievance in my resolution I have not taken from the Chester, but from the Durham act, which confines the hardship of want of representation to the case of subsidies ; and which therefore falls in exactly with the case of the colonies. But whether the unrepresented counties were *de jure*, or *de facto*, bound, the preambles do not accurately distinguish ; nor indeed was it necessary ; for, whether *de jure*, or *de facto*, the legislature thought the exercise of the power of taxing, as of right, or as of fact without right, equally a grievance, and equally oppressive.

I do not know that the colonies have, in any general way, or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of men, when they are composed and at rest, from their conduct, or their expressions, in a state of

disturbance and irritation. It is besides a very great mistake to imagine, that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We Englishmen stop very short of the principles upon which we support any given part of our constitution ; or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences ; we give and take ; we remit some rights, that we may enjoy others ; and we choose rather to be happy citizens, than subtle disputants. As we must give away some natural liberty, to enjoy civil advantages ; so we must sacrifice some civil liberties, for the advantages to be derived from the communion and fellowship of a great empire. But, in all fair dealings, the thing bought must bear some proportion to the purchase paid. None will barter away the immediate jewel of his soul. Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear to pay for it all essential rights and all the intrinsic dignity of human nature. None of us who would not risk his life rather than fall under a government purely arbitrary. But although there are some amongst us who think our constitution wants many improvements, to make it a complete system of liberty ; perhaps none who are of that opinion would think it right to aim at such improvement, by disturbing his country, and risking everything that is dear to him. In every arduous enterprise, we consider what we are to lose, as well as what we are to gain ; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are *the cords of man*. Man acts from adequate motives relative to his interest ; and not on

metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments, as the most fallacious of all sophistry.

The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it ; and they will rather be inclined to respect the acts of a superintending legislature, when they see them the acts of that power, which is itself the security, not the rival, of their secondary importance. In this assurance, my mind most perfectly acquiesces, and I confess, I feel not the least alarm from the discontents which are to arise from putting people at their ease ; nor do I apprehend the destruction of this empire, from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens some share of those rights, upon which I have always been taught to value myself.

It is said, indeed, that this power of granting, vested in American assemblies, would dissolve the unity of the empire ; which was preserved, entire, although Wales, and Chester, and Durham, were added to it. Truly, Mr. Speaker, I do not know what this unity means ; nor has it ever been heard of, that I know, in the constitutional policy of this country. The very idea of subordination of parts, excludes this notion of simple and undivided unity. England is the head ; but she is not the head and the members too. Ireland has ever had from the beginning a separate, but not an independent, legislature ; which, far from distracting, promoted the union of the whole. Everything was sweetly and harmoniously disposed through both islands for the conservation of English dominion, and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands, and with the same good effect. This is my model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other

unity of this empire, than I can draw from its example during these periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods.

But since I speak of these methods, I recollect, Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble lord * on the floor, which has been so lately received, and stands on your journals. I must be deeply concerned, whenever it is my misfortune to continue a difference with the majority of this House. But, as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a body as I possibly can, having already debated that matter at large, when the question was before the committee.

First, then, I cannot admit that proposition of a ransom by auction;—because it is a mere project. It is a thing new; unheard of; supported by no experience; justified by no analogy; without example of our ancestors, or root in the constitution.

It is neither regular parliamentary taxation, nor colony grant. *Experimentum in corpore vili*, is a good rule, which will ever make me adverse to any trial of experiments on what is certainly the most valuable of all subjects; the peace of this empire.

Secondly, it is an experiment which must be fatal in the end to our constitution. For what is it but a scheme for taxing the colonies in the ante-chamber of the noble lord and his successors? To settle the quotas and proportions in this House, is clearly impossible. You, sir, may flatter yourself, you shall sit a state auctioneer, with your hammer in your hand, and knock down to each colony as it bids. But to settle (on the plan laid down by the noble lord) the true proportional payment for four or five and twenty governments, according to the absolute and the relative wealth of each, and according to the British proportion

* Lord North.

of wealth and burden, is a wild and chimerical notion. This new taxation must therefore come in by the back-door of the constitution. Each quota must be brought to this House ready formed ; you can neither add nor alter. You must register it. You can do nothing further. For on what grounds can you deliberate either before or after the proposition ? You cannot hear the counsel for all these provinces, quarrelling each on its own quantity of payment, and its proportion to others. If you should attempt it, the committee of provincial ways and means, or by whatever other name it will delight to be called, must swallow up all the time of parliament.

Thirdly, it does not give satisfaction to the complaint of the colonies. They complain that they are taxed without their consent ; you answer that you will fix the sum at which they shall be taxed. That is, you give them the very grievance for the remedy. You tell them indeed, that you will leave the mode to themselves. I really beg pardon : it gives me pain to mention it ; but you must be sensible that you will not perform this part of the compact. For, suppose the colonies were to lay the duties, which furnished their contingent, upon the importation of your manufactures ; you know you would never suffer such a tax to be laid. You know too, that you would not suffer many other modes of taxation. So that, when you come to explain yourself, it will be found, that you will neither leave to themselves the quantum nor the mode ; nor indeed anything. The whole is delusion from one end to the other.

Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled ? To say nothing of the impossibility that colony agents should have general powers of taxing the colonies at their discretion ; consider, I implore you, that the communication by special messages, and orders between these

agents and their constituents on each variation of the case, when the parties come to contend together, and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion that never can have an end.

If all the colonies do not appear at the outcry, what is the condition of those assemblies, who offer by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies, who refuse all composition, will remain taxed only to your old impositions which, however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed; the refractory remain unburdened. What will you do? Will you lay new and heavier taxes by parliament on the disobedient? Pray consider in what way you can do it. You are perfectly convinced, that, in the way of taxing, you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota, how will you put these colonies on a par? Will you tax the tobacco of Virginia? If you do, you give its death-wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of some other obedient, and already well-taxed colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you with a clue, to lead you out of it? I think, sir, it is impossible that you should not recollect that the colony bounds are so implicated in one another (you know it by your other experiments in the bill for prohibiting the New-England fishery) that you can lay no possible restraint on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burden those whom, upon every principle, you ought to exonerate. He must be grossly

ignorant of America, who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central, the most important of them all.

Let it also be considered, that, either in the present confusion you settle a permanent contingent, which will and must be trifling; and then you have no effectual revenue: or you change the quota at every exigency; and then on every new repartition you will have a new quarrel.

Reflect besides that, when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears. You cannot issue a treasury extent against the failing colony. You must make new Boston port bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must consume this whole empire. I allow indeed that the empire of Germany raises her revenue and her troops by quotas and contingents; but the revenue of the empire, and the army of the empire, is the worst revenue, and the worst army in the world.

Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed the noble lord, who proposed this project of a ransom by auction, seemed himself to be of that opinion. His project was rather designed for breaking the union of the colonies than for establishing a revenue. He confessed he apprehended that his proposal would not be to *their taste*. I say this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the noble lord meant nothing but merely to delude the nation by an airy phantom which he never intended to realize. But whatever his views may be; as I propose the peace and union of the colonies as the very foundation of my plan,

it cannot accord with one whose foundation is perpetual discord.

Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. This is mild : that harsh. This is found by experience effectual for its purposes ; the other is a new project. This is universal ; the other calculated for certain colonies only. This is immediate in its conciliatory operation ; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people ; gratuitous, unconditional, and not held out as a matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long discourse ; but this is the misfortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom ! For my part, I feel my mind greatly disburdened by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs, I have steadily opposed the measures that have produced the confusion, and may bring on the destruction, of this empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my country, I give it to my conscience.

But what (says the financier) is peace to us without money ? Your plan gives us no revenue. No ! But it does—For it secures to the subject the power of REFUSAL ; the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you £152,752 : 11 : 2 $\frac{3}{4}$ ths, nor any other paltry limited sum.—But it gives the strong box itself, the fund, the bank, from whence only revenues can arise amongst a people sensible of freedom : *Posita*

luditur arca. Cannot you in England; cannot you at this time of day; cannot you, a House of Commons, trust to the principle which has raised so mighty a revenue, and accumulated a debt of near 140 millions in this country? Is this principle to be true in England and false everywhere else? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why should you presume that, in any country, a body duly constituted for any function will neglect to perform its duty, and abdicate its trust? Such a presumption would go against all governments in all modes. But, in truth, this dread of penury of supply from a free assembly, has no foundation in nature. For first observe that, besides the desire which all men have naturally of supporting the honour of their own government, that sense of dignity, and that security to property, which ever attend freedom, have a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the politic machinery in the world.

Next we know, that parties must ever exist in a free country. We know, too, that the emulations of such parties, their contradictions, their reciprocal necessities, their hopes, and their fears, must send them all in their turns to him that holds the balance of the state. The parties are the gamesters; but government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared that the people will be exhausted than that government will not be supplied. Whereas, whatever is got by acts of absolute power ill obeyed, because odious, or by contracts ill kept, because constrained: will be narrow, feeble, uncertain, and precarious. *'Ease would retract vows made in pain, as violent and void.'*

I, for one, protest against compounding our demands : I declare against compounding for a poor limited sum, the immense, ever growing, eternal debt, which is due to generous government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the colonies to a sum certain, either in the way of ransom, or in the way of compulsory compact.

But to clear up my ideas on this subject—a revenue from America transmitted hither—do not delude yourselves—you never can receive it—No, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from Bengal, you were obliged to return in loan what you had taken in imposition, what can you expect from North America ? For certainly, if ever there was a country qualified to produce wealth, it is India ; or an institution fit for the transmission, it is the East India Company. America has none of these amplitudes. If America gives you taxable objects, on which you lay your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects, which you tax at home, she has performed her part to the British revenue. But with regard to her own internal establishments ; she may, I doubt not she will, contribute in moderation. I say in moderation ; for she ought not to be permitted to exhaust herself. She ought to be reserved to a war ; the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There she may serve you and serve you essentially.

For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British constitution. My hold of the colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties, which, though light as air, are

as strong as links of iron. Let the colonies always keep the idea of their civil rights associated with your government;—they will cling and grapple to you; and no force under heaven would be of power to tear them from their allegiance. But let it be once understood, that your government may be one thing, and their privileges another; that these two things may exist without any mutual relation; the cement is gone; the cohesion is loosened; and everything hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you. The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But, until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true act of navigation which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond, which originally made, and must still preserve the unity of the empire. Do not entertain so weak an imagination, as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your suspending clauses, are the things that hold together the great contexture of this mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion that gives all their life and efficacy to them. It is the spirit of the English

constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the empire, even down to the minutest member.

Is it not the same virtue which does everything for us here in England? Do you imagine, then, that it is the land tax act which raises your revenue? that it is the annual vote in the committee of supply, which gives you your army? or that it is the mutiny bill, which inspires it with bravery and discipline? No! surely not! It is the love of the people; it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience, without which your army would be a base rabble, and your navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians, who have no place among us; a sort of people who think that nothing exists but what is gross and material; and who therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles, which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth everything, and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our situation, and glow with zeal to fill our places as becomes our station and ourselves, we ought to auspicate all our public proceedings in America, with the old warning of the Church, *Sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire: and have made the most extensive, and the only honourable conquests, not by

destroying, but by promoting the wealth, the number, the happiness of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is; English privileges alone will make it all it can be.

In full confidence of this unalterable truth, I now (*quod felix faustumque sit*)—lay the first stone of the temple of peace; and I move you,

‘That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.’

Upon this resolution, the previous question was put and carried; for the previous question 270, against it 78.

IV.

ADDRESS TO THE BRITISH COLONISTS IN NORTH AMERICA.

[Dated 1777, the year of the defeats at Brandywine and Germanstown, when the American prospects were at their darkest. Lord Acton has described this address as ‘the grandest of state papers.’]

THE very dangerous crisis into which the British empire is brought, as it accounts for, so it justifies, the unusual step we take in addressing ourselves to you.

The distempers of the state are grown to such a degree of violence and malignity as to render all ordinary remedies vain and frivolous. In such a deplorable situation, an adherence to the common forms of business

appears to us rather as an apology to cover a supine neglect of duty, than the means of performing it in a manner adequate to the exigency that presses upon us. The common means we have already tried, and tried to no purpose. As our last resource, we turn ourselves to you. We address you merely in our private capacity; vested with no other authority than what will naturally attend those, in whose declarations of benevolence you have no reason to apprehend any mixture of dissimulation or design.

We have this title to your attention: we call upon it in a moment of the utmost importance to us all. We find with infinite concern, that arguments are used to persuade you of the necessity of separating yourselves from your ancient connexion with your parent country, grounded on a supposition that a general principle of alienation and enmity to you had pervaded the whole of this kingdom; and that there does no longer subsist between you and us any common and kindred principles, upon which we can possibly unite, consistently with those ideas of liberty in which you have justly placed your whole happiness.

If this fact were true, the inference drawn from it would be irresistible. But nothing is less founded. We admit, indeed, that violent addresses have been procured with uncommon pains by wicked and designing men, purporting to be the genuine voice of the whole people of England; that they have been published by authority here; and made known to you by proclamations; in order, by despair and resentment, incurably to poison your minds against the origin of your race, and to render all cordial reconciliation between us utterly impracticable. The same wicked men, for the same bad purposes, have so far surprised the justice of parliament, as to cut off all communication betwixt us, except what is to go in their own fallacious and hostile channel.

But we conjure you by the invaluable pledges, which have hitherto united, and which we trust will hereafter

lastingly unite us, that you do not suffer yourselves to be persuaded or provoked into an opinion that you are at war with this nation. Do not think that the whole, or even the uninfluenced majority of Englishmen in this island are enemies to their own blood on the American continent. Much delusion has been practised ; much corrupt influence treacherously employed. But still a large, and we trust the largest and soundest, part of this kingdom perseveres in the most perfect unity of sentiments, principles, and affections with you. It spreads out a large and liberal platform of common liberty, upon which we may all unite for ever. It abhors the hostilities which have been carried on against you, as much as you who feel the cruel effect of them. It has disclaimed, in the most solemn manner, at the foot of the throne itself, the addresses which tended to irritate your sovereign against his colonies. We are persuaded that even many of those, who unadvisedly have put their hands to such intemperate and inflammatory addresses, have not at all apprehended to what such proceedings naturally lead ; and would sooner die than afford them the least countenance, if they were sensible of their fatal effects on the union and liberty of the empire.

For ourselves, we faithfully assure you, that we have ever considered you as rational creatures ; as free agents ; as men willing to pursue, and able to discern, your own true interest. We have wished to continue united with you, in order that a people of one origin and one character should be directed to the rational objects of government by joint counsels, and protected in them by a common force. Other subordination in you we require none. We have never pressed that argument of general union to the extinction of your local, natural, and just privileges. Sensible of what is due both to the dignity and weakness of man, we have never wished to place over you any government, over which, in great fundamental points, you should have no sort of check or control in your own hands ; or which

should be repugnant to your situation, principles, and character.

No circumstances of fortune, you may be assured, will ever induce us to form or tolerate any such design. If the disposition of Providence (which we deprecate) should even prostrate you at our feet, broken in power and in spirit, it would be our duty and inclination to revive, by every practicable means, that free energy of mind which a fortune unsuitable to your virtue had damped and dejected; and to put you voluntarily in possession of those very privileges, which you had in vain attempted to assert by arms. For we solemnly declare, that although we should look upon a separation from you as a heavy calamity (and the heavier, because we know you must have your full share in it), yet we had much rather see you totally independent of this crown and kingdom, than joined to it by as unnatural a conjunction as that of freedom and servitude:—a conjunction, which, if it were at all practicable, could not fail, in the end, of being more mischievous to the peace, prosperity, greatness, and power of this nation, than beneficial by any enlargement of the bounds of nominal empire.

But because, brethren, these professions are general, and such as even enemies may make, when they reserve to themselves the construction of what servitude and what liberty are, we inform you that we adopt your own standard of the blessing of free government. We are of opinion, that you ought to enjoy the sole and exclusive right of freely granting, and applying to the support of your administration, what God has freely granted as a reward to your industry. And we do not confine this immunity from exterior coercion, in this great point, solely to what regards your local establishment, but also to what may be thought proper for the maintenance of the whole empire. In this resource we cheerfully trust and acquiesce: satisfied by evident reason, that no other expectation of revenue can possibly be given by freemen; and knowing from an experience, uniform

both on yours and on our side of the ocean, that such an expectation has never yet been disappointed. We know of no road to your coffers but through your affections.

To manifest our sentiments the more clearly to you and to the world on this subject ; we declare our opinion, that if no revenue at all, which, however, we are far from supposing, were to be obtained from you to this kingdom, yet as long as it is our happiness to be joined with you in the bonds of fraternal charity and freedom, with an open and flowing commerce between us, one principle of enmity and friendship pervading, and one right of war and peace directing, the strength of the whole empire, we are likely to be at least as powerful as any nation, or as any combination of nations, which in the course of human events may be formed against us. We are sensible, that a very large proportion of the wealth and power of every empire must necessarily be thrown upon the presiding state. We are sensible that such a state ever has borne, and ever must bear the greatest part, and sometimes the whole of the public expenses : and we think her well indemnified for that (rather apparent than real) inequality of charge, in the dignity and pre-eminence she enjoys, and in the superior opulence, which, after all charges defrayed, must necessarily remain at the centre of affairs. Of this principle we are not without evidence in our remembrance (not yet effaced) of the glorious and happy days of this empire. We are, therefore, incapable of that prevaricating style, by which, when taxes without your consent are to be extorted from you, this nation is represented as in the lowest state of impoverishment and public distress ; but when we are called upon to oppress you by force of arms, it is painted as scarcely feeling its impositions, abounding with wealth, and inexhaustible in its resources.

We also reason and feel, as you do, on the invasion of your charters. Because the charters comprehend the essential forms by which you enjoy your liberties, we

regard them as most sacred, and by no means to be taken away or altered without process, without examination, and without hearing, as they have lately been. We even think, that they ought by no means to be altered at all, but at the desire of the greater part of the people who live under them. We cannot look upon men as delinquents in the mass ; much less are we desirous of lording over our brethren, insulting their honest pride, and wantonly overturning establishments, judged to be just and convenient by the public wisdom of this nation at their institution ; and which long and inveterate use has taught you to look up to with affection and reverence. As we disapproved of the proceedings with regard to the forms of your constitution, so we are equally tender of every leading principle of free government. We never could think with approbation of putting the military power out of the coercion of the civil justice in the country where it acts.

We disclaim also any sort of share in that other measure, which has been used to alienate your affections from this country, namely, the introduction of foreign mercenaries. We saw their employment with shame and regret, especially in numbers so far exceeding the English forces, as in effect to constitute vassals, who have no sense of freedom, and strangers, who have no common interest or feelings, as the arbiters of our unhappy domestic quarrel.

We likewise saw with shame the African slaves, who had been sold to you on public faith, and under the sanction of acts of parliament, to be your servants and your guards, employed to cut the throats of their masters.

You will not, we trust, believe, that born in a civilized country, formed to gentle manners, trained in a merciful religion, and living in enlightened and polished times, where even foreign hostility is softened from its original sternness, we could have thought of letting loose upon you, our late beloved brethren, these fierce tribes of savages and cannibals, in whom the traces of human nature are effaced by ignorance and barbarity. We

rather wished to have joined with you in bringing gradually that unhappy part of mankind into civility, order, piety, and virtuous discipline, than to have confirmed their evil habits, and increased their natural ferocity, by fleshing them in the slaughter of you, whom our wiser and better ancestors had sent into the wilderness, with the express view of introducing, along with our holy religion, its humane and charitable manners. We do not hold, that all things are lawful in war. We should think, that every barbarity, in fire, in wasting, in murders, in tortures, and other cruelties, too horrible and too full of turpitude for Christian mouths to utter, or ears to hear, if done at our instigation by those, who, we know, will make war thus if they make it at all, to be, to all intents and purposes, as if done by ourselves. We clear ourselves to you our brethren, to the present age, and to future generations, to our king and our country, and to Europe, which, as a spectator, beholds this tragic scene, of every part or share in adding this last and worst of evils to the inevitable mischiefs of a civil war.

We do not call you rebels and traitors. We do not call for the vengeance of the crown against you. We do not know how to qualify millions of our countrymen, contending with one heart for an admission to privileges which we have ever thought our own happiness and honour, by odious and unworthy names. On the contrary, we highly revere the principles on which you act, though we lament some of their effects. Armed as you are, we embrace you as our friends and as our brethren by the best and dearest ties of relation.

We view the establishment of the English colonies on principles of liberty, as that which is to render this kingdom venerable to future ages. In comparison of this, we regard all the victories and conquests of our warlike ancestors, or of our own times, as barbarous, vulgar distinctions, in which many nations, whom we look upon with little respect or value, have equalled, if not far exceeded us. This is the peculiar and appropriated glory of England. Those who *have and who*

hold to that foundation of common liberty, whether on this or on your side of the ocean, we consider as the true, and the only true, Englishmen. Those who depart from it, whether there or here, are attainted, corrupted in blood, and wholly fallen from their original rank and value. They are the real rebels to the fair constitution and just supremacy of England.

We exhort you, therefore, to cleave for ever to those principles, as being the true bond of union in this empire ; and to show by a manly perseverance, that the sentiments of honour, and the rights of mankind, are not held by the uncertain events of war, as you have hitherto shown a glorious and affecting example to the world, that they are not dependent on the ordinary conveniences and satisfactions of life.

Knowing no other arguments to be used to men of liberal minds, it is upon these very principles, and these alone, we hope and trust, that no flattering and no alarming circumstances shall permit you to listen to the seductions of those who would alienate you from your dependence on the crown and parliament of this kingdom. That very liberty which you so justly prize above all things originated here ; and it may be very doubtful whether, without being constantly fed from the original fountain, it can be at all perpetuated or preserved in its native purity and perfection. Untried forms of government may, to unstable minds, recommend themselves even by their novelty. But you will do well to remember, that England has been great and happy under the present limited monarchy (subsisting in more or less vigour and purity) for several hundred years. None but England can communicate to you the benefits of such a constitution. We apprehend you are not now, nor for ages are likely to be, capable of that form of constitution in an independent state. Besides, let us suggest to you our apprehensions, that your present union (in which we rejoice, and which we wish long to subsist) cannot always subsist without the authority and weight of this great and long respected body, to equipoise,

and to preserve you amongst yourselves in a just and fair equality. It may not even be impossible, that a long course of war with the administration of this country may be but a prelude to a series of wars and contentions among yourselves, to end at length (as such scenes have too often ended), in a species of humiliating repose, which nothing but the preceding calamities would reconcile to the dispirited few who survived them. We allow that even this evil is worth the risk to men of honour, when rational liberty is at stake, as in the present case we confess and lament that it is. But if ever a real security, by parliament, is given against the terror or the abuse of unlimited power, and after such security given you should persevere in resistance, we leave you to consider, whether the risk is not incurred without an object, or incurred for an object infinitely diminished, by such concessions, in its importance and value.

As to other points of discussion, when these grand fundamentals of your grants and charters are once settled and ratified by clear parliamentary authority, as the ground for peace and forgiveness on our side, and for a manly and liberal obedience on yours, treaty, and a spirit of reconciliation, will easily and securely adjust whatever may remain. Of this we give you our word, that so far as we are at present concerned, and if by any event we should become more concerned hereafter, you may rest assured, upon the pledges of honour not forfeited, faith not violated, and uniformity of character and profession not yet broken, we, at least on these grounds, will never fail you.

Respecting your wisdom, and valuing your safety, we do not call upon you to trust your existence to your enemies. We do not advise you to an unconditional submission. With satisfaction we assure you, that almost all in both Houses (however unhappily they have been deluded, so as not to give any immediate effect to their opinion) disclaim that idea. You can have no friends in whom you cannot rationally confide. But parliament is your friend from the moment in which,

removing its confidence from those who have constantly deceived its good intentions, it adopts the sentiments of those who have made sacrifices (inferior indeed to yours), but have, however, sacrificed enough to demonstrate the sincerity of their regard and value for your liberty and prosperity.

Arguments may be used to weaken your confidence in that public security ; because, from some unpleasant appearances, there is a suspicion that parliament itself is somewhat fallen from its independent spirit. How far this supposition may be founded in fact we are unwilling to determine. But we are well assured from experience, that even if it all were true that is contended for, and in the extent too in which it is argued, yet as long as the solid and well-disposed forms of this constitution remain, there ever is within parliament itself a power of renovating its principles, and effecting a self-reformation, which no other plan of government has ever contained. This constitution has therefore admitted innumerable improvements, either for the correction of the original scheme, or for removing corruptions, or for bringing its principles better to suit those changes which have successively happened in the circumstances of the nation, or in the manners of the people.

We feel, that the growth of the colonies is such a change of circumstances ; and that our present dispute is an exigency as pressing as any which ever demanded a revision of our government. Public troubles have often called upon this country to look into its constitution. It has ever been bettered by such a revision. If our happy and luxuriant increase of dominion, and our diffused population, have outgrown the limits of a constitution made for a contracted object, we ought to bless God, who has furnished us with this noble occasion for displaying our skill and beneficence in enlarging the scale of rational happiness, and of making the politic generosity of this kingdom as extensive as its fortune. If we set about this great work, on both sides, with the same conciliatory turn of mind, we may now, as in former times,

owe even to our mutual mistakes, contentions, and animosities, the lasting concord, freedom, happiness, and glory of this empire.

Gentlemen, the distance between us, with other obstructions, has caused much misrepresentation of our mutual sentiments. We, therefore, to obviate them as well as we are able, take this method of assuring you of our thorough detestation of the whole war; and particularly the mercenary and savage war, carried on or attempted against you: our thorough abhorrence of all addresses adverse to you, whether public or private; our assurances of an invariable affection towards you; our constant regard to your privileges and liberties; and our opinion of the solid security you ought to enjoy for them, under the paternal care and nurture of a protecting parliament.

Though many of us have earnestly wished that the authority of that august and venerable body, so necessary in many respects to the union of the whole, should be rather limited by its own equity and discretion, than by any bounds described by positive laws and public compacts; and though we felt the extreme difficulty, by any theoretical limitations, of qualifying that authority, so as to preserve one part and deny another; and though you (as we gratefully acknowledge) had acquiesced most cheerfully under that prudent reserve of the constitution at that happy moment when neither you nor we apprehended a further return of the exercise of invidious powers, we are now as fully persuaded as you can be, by the malice, inconstancy, and perverse inquietude of many men, and by the incessant endeavours of an arbitrary faction, now too powerful, that our common necessities do require a full explanation and ratified security for your liberties and our quiet.

Although his majesty's condescension in committing the direction of his affairs into the hands of the known friends of his family and of the liberties of all his people, would, we admit, be a great means of giving repose to your minds, as it must give infinite facility to recon-

ciliation, yet we assure you that we think, with such a security as we recommend, adopted from necessity and not choice, even by the unhappy authors and instruments of the public misfortunes, that the terms of reconciliation, if once accepted by parliament, would not be broken. We also pledge ourselves to you, that we should give, even to those unhappy persons, a hearty support in effectuating the peace of the empire ; and every opposition in an attempt to cast it again into disorder.

When that happy hour shall arrive, let us in all affection recommend to you the wisdom of continuing, as in former times, or even in a more ample measure, the support of your government, and even to give to your administration some degree of reciprocal interest in your freedom. We earnestly wish you not to furnish your enemies, here or elsewhere, with any sort of pretexts for reviving quarrels by too reserved and severe or penurious an exercise of those sacred rights, which no pretended abuse in the exercise ought to impair, nor, by overstraining the principles of freedom, to make them less compatible with those haughty sentiments in others, which the very same principles may be apt to breed in minds not tempered with the utmost equity and justice.

The well-wishers of the liberty and union of this empire salute you, and recommend you most heartily to the Divine protection.

BOOK III.
THE FRENCH REVOLUTION.

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I.

REFLECTIONS ON THE REVOLUTION IN FRANCE.

[A letter 'intended to have been sent to a gentleman in Paris,' 1790. It should be remembered that this is written at the very outset of the Revolution. The Bastille had been stormed on July 14, 1789, but no other revolutionary events had happened. Mirabeau did not die till April 1791, and Danton and Robespierre were still unheard of.]

DEAR SIR,

You are pleased to call again, and with some earnestness, for my thoughts on the late proceedings in France. I will not give you reason to imagine that I think my sentiments of such value as to wish myself to be solicited about them. They are of too little consequence to be very anxiously either communicated or withheld. It was from attention to you, and to you only, that I hesitated at the time when you first desired to receive them. In the first letter I had the honour to write to you, and which at length I send, I wrote neither for, nor from, any description of men ; nor shall I in this. My errors, if any, are my own. My reputation alone is to answer for them.

You see, sir, by the long letter I have transmitted to you, that though I do most heartily wish that France may be animated by a spirit of rational liberty, and that I think you bound, in all honest policy, to provide a permanent body in which that spirit may reside, and

an effectual organ by which it may act, it is my misfortune to entertain great doubts concerning several material points in your late transactions.

You imagined, when you wrote last, that I might possibly be reckoned among the approvers of certain proceedings in France, from the solemn public seal of sanction they have received from two clubs of gentlemen in London, called the Constitutional Society, and the Revolution Society.

I certainly have the honour to belong to more clubs than one, in which the constitution of this kingdom, and the principles of the glorious Revolution, are held in high reverence; and I reckon myself among the most forward in my zeal for maintaining that constitution and those principles in their utmost purity and vigour. It is because I do so that I think it necessary for me that there should be no mistake. Those who cultivate the memory of our Revolution, and those who are attached to the constitution of this kingdom, will take good care how they are involved with persons who, under the pretext of zeal towards the Revolution and constitution, too frequently wander from their true principles; and are ready on every occasion to depart from the firm but cautious and deliberate spirit which produced the one, and which presides in the other. Before I proceed to answer the more material particulars in your letter, I shall beg leave to give you such information as I have been able to obtain of the two clubs which have thought proper, as bodies, to interfere in the concerns of France; first assuring you, that I am not, and that I have never been, a member of either of those societies.

The first, calling itself the Constitutional Society, or Society for Constitutional Information, or by some such title, is, I believe, of seven or eight years' standing. The institution of this society appears to be of a charitable, and so far of a laudable nature: it was intended for the circulation, at the expense of the members, of many books, which few others would be at the expense of buying; and which might lie on the hands of the book-

sellers, to the great loss of an useful body of men. Whether the books, so charitably circulated, were ever as charitably read, is more than I know. Possibly several of them have been exported to France ; and, like goods not in request here, may with you have found a market. I have heard much talk of the lights to be drawn from books that are sent from hence. What improvements they have had in their passage (as it is said some liquors are meliorated by crossing the sea) I cannot tell : but I never heard a man of common judgment, or the last degree of information, speak a word in praise of the greater part of the publications circulated by that society ; nor have their proceedings been accounted, except by some of themselves, as of any serious consequence.

Your National Assembly seems to entertain much the same opinion that I do of this poor charitable club. As a nation, you reserved the whole stock of your eloquent acknowledgments for the Revolution Society ; when their fellows in the Constitutional were, in equity, entitled to some share. Since you have selected the Revolution Society as the great object of your national thanks and praises, you will think me excusable in making its late conduct the subject of my observations. The National Assembly of France has given importance to these gentlemen by adopting them : and they return the favour, by acting as a committee in England for extending the principles of the National Assembly. Henceforward we must consider them as a kind of privileged persons ; as no inconsiderable members in the diplomatic body. This is one among the revolutions which have given splendour to obscurity, and distinction to undiscerned merit. Until very lately I do not recollect to have heard of this club. I am quite sure that it never occupied a moment of my thoughts : nor, I believe, those of any person out of their own set. I find, upon inquiry, that on the anniversary of the Revolution in 1688, a club of dissenters, but of what denomination I know not, have

long had the custom of hearing a sermon in one of their churches; and that afterwards they spent the day cheerfully, as other clubs do, at the tavern. But I never heard that any public measure, or political system, much less that the merits of the constitution of any foreign nation, had been the subject of a formal proceeding at their festivals; until, to my inexpressible surprise, I found them in a sort of public capacity, by a congratulatory address, giving an authoritative sanction to the proceedings of the National Assembly in France.

In the ancient principles and conduct of the club, so far at least as they were declared, I see nothing to which I could take exception. I think it very probable that, for some purpose, new members may have entered among them; and that some truly Christian politicians, who love to dispense benefits, but are careful to conceal the hand which distributes the dole, may have made them the instruments of their pious designs. Whatever I may have reason to suspect concerning private management, I shall speak of nothing as of a certainty but what is public.

For one, I should be sorry to be thought, directly or indirectly, concerned in their proceedings. I certainly take my full share, along with the rest of the world, in my individual and private capacity, in speculating on what has been done, or is doing, on the public stage, in any place ancient or modern; in the republic of Rome, or the republic of Paris; but having no general apostolical mission, being a citizen of a particular state, and being bound up, in a considerable degree, by its public will, I should think it at least improper and irregular for me to open a formal public correspondence with the actual government of a foreign nation, without the express authority of the government under which I live.

I should be still more unwilling to enter into that correspondence under anything like an equivocal description which to many, unacquainted with our usages, might make the address, in which I joined, appear as

the act of persons in some sort of corporate capacity, acknowledged by the laws of this kingdom, and authorized to speak the sense of some part of it. On account of the ambiguity and uncertainty of unauthorized general descriptions, and of the deceit which may be practised under them, and not from mere formality, the House of Commons would reject the most sneaking petition for the most trifling object, under that mode of signature to which you have thrown open the folding doors of your presence chamber, and have ushered into your National Assembly with as much ceremony and parade, and with as great a bustle of applause, as if you had been visited by the whole representative majesty of the whole English nation. If what this society has thought proper to send forth had been a piece of argument, it would have signified little whose argument it was. It would be neither the more nor the less convincing on account of the party it came from. But this is only a vote and resolution. It stands solely on authority; and in this case it is the mere authority of individuals, few of whom appear. Their signatures ought, in my opinion, to have been annexed to their instrument. The world would then have the means of knowing how many they are; who they are; and of what value their opinions may be, from their personal abilities, from their knowledge, their experience, or their lead and authority in this state. To me, who am but a plain man, the proceeding looks a little too refined, and too ingenious; it has too much the air of a political stratagem, adopted for the sake of giving, under a high-sounding name, an importance to the public declarations of this club, which, when the matter came to be closely inspected, they did not altogether so well deserve. It is a policy that has very much the complexion of a fraud.

I flatter myself that I love a manly, moral, regulated liberty as well as any gentleman of that society, be he who he will: and perhaps I have given as good proofs of my attachment to that cause, in the whole course of my public conduct. I think I envy liberty as little as

they do, to any other nation. But I cannot stand forward, and give praise or blame to anything which relates to human actions, and human concerns, on a simple view of the object, as it stands stripped of every relation, in all the nakedness and solitude of metaphysical abstraction. Circumstances (which with some gentlemen pass for nothing) give in reality to every political principle its distinguishing colour and discriminating effect. The circumstances are what render every civil and political scheme beneficial or noxious to mankind. Abstractedly speaking, government, as well as liberty, is good ; yet could I, in common sense, ten years ago, have felicitated France on her enjoyment of a government (for she then had a government) without inquiry what the nature of that government was, or how it was administered? Can I now congratulate the same nation upon its freedom? Is it because liberty in the abstract may be classed amongst the blessings of mankind, that I am seriously to felicitate a madman, who has escaped from the protecting restraint and wholesome darkness of his cell, on his restoration to the enjoyment of light and liberty? Am I to congratulate a highwayman and murderer, who has broke prison, upon the recovery of his natural rights? This would be to act over again the scene of the criminals condemned to the gallows, and their heroic deliverer, the metaphysic knight of the sorrowful countenance.

When I see the spirit of liberty in action, I see a strong principle at work ; and this, for a while, is all I can possibly know of it. The wild *gas*, the fixed air, is plainly broke loose : but we ought to suspend our judgment until the first effervescence is a little subsided, till the liquor is cleared, and until we see something deeper than the agitation of a troubled and frothy surface. I must be tolerably sure, before I venture publicly to congratulate men upon a blessing, that they have really received one. Flattery corrupts both the receiver and the giver ; and adulation is not of more

service to the people than to kings. I should therefore suspend my congratulations on the new liberty of France until I was informed how it had been combined with government ; with public force ; with the discipline and obedience of armies ; with the collection of an effective and well-distributed revenue ; with morality and religion ; with solidity and property ; with peace and order ; with civil and social manners. All these (in their way) are good things too ; and, without them, liberty is not a benefit whilst it lasts, and is not likely to continue long. The effect of liberty to individuals, is, that they may do what they please : we ought to see what it will please them to do, before we risk congratulations, which may be soon turned into complaints. Prudence would dictate this in the case of separate, insulated, private men ; but liberty, when men act in bodies, is *power*. Considerate people, before they declare themselves, will observe the use which is made of *power* ; and particularly of so trying a thing as *new* power in *new* persons, of whose principles, tempers, and dispositions, they have little or no experience, and in situations, where those who appear the most stirring in the scene may possibly not be the real movers.

All these considerations, however, were below the transcendental dignity of the Revolution Society. Whilst I continued in the country, from whence I had the honour of writing to you, I had but an imperfect idea of their transactions. On my coming to town, I sent for an account of their proceedings, which had been published by their authority, containing a sermon of Dr. Price, with the Duke de Rochefoucault's and the Archbishop of Aix's letter, and several other documents annexed. The whole of that publication, with the manifest design of connecting the affairs of France with those of England, by drawing us into an imitation of the conduct of the National Assembly, gave me a considerable degree of uneasiness. The effect of that conduct upon the power, credit, prosperity, and tranquillity of France, became every day more evident. The form

of constitution to be settled, for its future polity, became more clear. We are now in a condition to discern, with tolerable exactness, the true nature of the object held up to our imitation. If the prudence of reserve and decorum dictates silence in some circumstances, in others prudence of a higher order may justify us in speaking our thoughts. The beginnings of confusion with us in England are at present feeble enough ; but, with you, we have seen an infancy, still more feeble, growing by moments into a strength to heap mountains upon mountains, and to wage war with heaven itself. Whenever our neighbour's house is on fire, it cannot be amiss for the engines to play a little on our own. Better to be despised for too anxious apprehensions, than ruined by too confident a security.

Solicitous chiefly for the peace of my own country, but by no means unconcerned for yours, I wish to communicate more largely what was at first intended only for your private satisfaction. I shall still keep your affairs in my eye, and continue to address myself to you. Indulging myself in the freedom of epistolary intercourse, I beg leave to throw out my thoughts, and express my feelings, just as they arise in my mind, with very little attention to formal method. I set out with the proceedings of the Revolution Society ; but I shall not confine myself to them. Is it possible I should ? It appears to me as if I were in a great crisis, not of the affairs of France alone, but of all Europe, perhaps of more than Europe. All circumstances taken together, the French Revolution is the most astonishing that has hitherto happened in the world. The most wonderful things are brought about in many instances by means the most absurd and ridiculous ; in the most ridiculous modes ; and, apparently, by the most contemptible instruments. Everything seems out of nature in this strange chaos of levity and ferocity, and of all sorts of crimes jumbled together with all sorts of follies. In viewing this monstrous tragi-comic scene, the most

opposite passions necessarily succeed, and sometimes mix with each other in the mind ; alternate contempt and indignation ; alternate laughter and tears ; alternate scór and horror.

It cannot, however, be denied, that to some this strange scene appeared in quite another point of view. Into them it inspired no other sentiments than those of exultation and rapture. They saw nothing in what has been done in France, but a firm and temperate exertion of freedom ; so consistent, on the whole, with morals and piety, as to make it deserving not only of the secular applause of dashing Machiavelian politicians, but to render it a fit theme for all the devout effusions of sacred eloquence.

On the forenoon of the 4th of November last, Doctor Richard Price, a non-conforming minister of eminence, preached at the dissenting meeting-house of the Old Jewry, to his club or society, a very extraordinary miscellaneous sermon, in which there are some good moral and religious sentiments, and not ill expressed, mixed up with a sort of porridge of various political opinions and reflections : but the Revolution in France is the grand ingredient in the cauldron. I consider the address transmitted by the Revolution Society to the National Assembly, through Earl Stanhope, as originating in the principles of the sermon, and as a corollary from them. It was moved by the preacher of that discourse. It was passed by those who came reeking from the effect of the sermon, without any censure or qualification, expressed or implied. If, however, any of the gentlemen concerned shall wish to separate the sermon from the resolution, they know how to acknowledge the one, and to disavow the other. They may do it : I cannot.

For my part I looked on that sermon as the public declaration of a man much connected with literary caballers, and intriguing philosophers ; with political theologians, and theological politicians, both at home and abroad. I know they set him up as a sort of

oracle ; because, with the best intentions in the world, he naturally *philippizes*, and chants his prophetic song in exact unison with their designs.

That sermon is in a strain which I believe has not been heard in this kingdom, in any of the pulpits which are tolerated or encouraged in it, since the year 1648 ; when a predecessor of Dr. Price, the Reverend Hugh Peters, made the vault of the king's own chapel at St. James's ring with the honour and privilege of the saints, who, with the 'high praises of God in their mouths, and a *two-edged* sword in their hands, were to execute judgment on the heathen, and punishments upon the *people* ; to bind their *kings* with chains, and their *nobles* with fetters of iron.'* Few harangues from the pulpit, except in the days of your league in France, or in the days of our solemn league and covenant in England, have ever breathed less of the spirit of moderation than this lecture in the Old Jewry. Supposing, however, that something like moderation were visible in this political sermon ; yet politics and the pulpit are terms that have little agreement. No sound ought to be heard in the church but the healing voice of Christian charity. The cause of civil liberty and civil government gains as little as that of religion by this confusion of duties. Those who quit their proper character, to assume what does not belong to them, are, for the greater part, ignorant both of the character they leave, and of the character they assume. Wholly unacquainted with the world in which they are so fond of meddling, and inexperienced in all its affairs, on which they pronounce with so much confidence, they have nothing of politics but the passions they excite. Surely the church is a place where one day's truce ought to be allowed to the dissensions and animosities of mankind.

This pulpit style, revived after so long a discontinuance, had to me the air of novelty, and of a novelty not wholly without danger. I do not charge this danger

* Ps. cxlix.

equally to every part of the discourse. The hint given to a noble and reverend lay-divine, who is supposed high in office in one of our universities,* and other lay-divines 'of *rank* and *literature*,' may be proper and seasonable, though somewhat new. If the noble *Seekers* should find nothing to satisfy their pious fancies in the old staple of the national church, or in all the rich variety to be found in the well-assorted warehouses of the dissenting congregations, Dr. Price advises them to improve upon non-conformity; and to set up, each of them, a separate meeting-house upon his own particular principles.† It is somewhat remarkable that this reverend divine should be so earnest for setting up new churches, and so perfectly indifferent concerning the doctrine which may be taught in them. His zeal is of a curious character. It is not for the propagation of his own opinions, but of any opinions. It is not for the diffusion of truth, but for the spreading of contradiction. Let the noble teachers but dissent, it is no matter from whom or from what. This great point once secured, it is taken for granted their religion will be rational and manly. I doubt whether religion would reap all the benefits which the calculating divine computes from this 'great company of great preachers.' It would certainly be a valuable addition of nondescripts to the ample collection of known classes, genera and species, which at present beautify the *hortus siccus* of dissent. A sermon from a noble duke, or a noble marquis, or a noble earl, or baron bold, would certainly increase and diversify the amusements of this town, which begins to grow satiated with the uniform round of its vapid dissipations. I should only stipulate

* 'Discourse on the Love of our Country,' Nov. 4, 1789, by Dr. Richard Price, 3rd edition, pp. 17 and 18.

† 'Those who dislike that mode of worship which is prescribed by public authority, ought, if they can find *no* worship out of the church which they approve, to set up a separate worship for themselves; and by doing this, and giving an example of a rational and manly worship, men of *weight* from their *rank* and *literature* may do the greatest service to society and the world.'—P. 18, Dr. Price's Sermon.

that these new *Mess-Johns* in robes and coronets should keep some sort of bounds in the democratic and levelling principles which are expected from their titled pulpits. The new evangelists will, I dare say, disappoint the hopes that are conceived of them. They will not become, literally as well as figuratively, polemic divines, nor be disposed so to drill their congregations, that they may, as in former blessed times, preach their doctrines to regiments of dragoons and corps of infantry and artillery. Such arrangements, however favourable to the cause of compulsory freedom, civil and religious, may not be equally conducive to the national tranquillity. These few restrictions I hope are no great stretches of intolerance, no very violent exertions of despotism.

But I may say of our preacher, '*utinam nugis tota illa dedisset tempora sævitæ.*'—All things in this his fulminating bull are not of so innoxious a tendency. His doctrines affect our constitution in its vital parts. He tells the Revolution Society, in this [political sermon, that his majesty, 'is almost the *only* lawful king in the world, because the *only* one who owes his crown to the choice of his people.' As to the kings of the world, all of whom (except one) this arch pontiff of the *rights of men*, with all the plenitude, and with more than the boldness of the papal deposing power in its meridian fervour of the twelfth century, puts into one sweeping clause of ban and anathema, and proclaims usurpers by circles of longitude and latitude, over the whole globe, it behoves them to consider how they admit into their territories these apostolic missionaries, who are to tell their subjects they are not lawful kings. That is their concern. It is ours, as a domestic interest of some moment, seriously to consider the solidity of the *only* principle upon which these gentlemen acknowledge a king of Great Britain to be entitled to their allegiance.

This doctrine, as applied to the prince now on the British throne, either is nonsense, and therefore neither true nor false, or it affirms a most unfounded, dangerous,

illegal, and unconstitutional position. According to this spiritual doctor of politics, if his majesty does not owe his crown to the choice of his people, he is no *lawful king*. Now nothing can be more untrue than that the crown of this kingdom is so held by his majesty. Therefore if you follow their rule, the king of Great Britain, who most certainly does not owe his high office to any form of popular election, is in no respect better than the rest of the gang of usurpers, who reign, or rather rob, all over the face of this our miserable world, without any sort or right or title to the allegiance of their people. The policy of this general doctrine, so qualified, is evident enough. The propagators of this political gospel are in hopes that their abstract principle (their principle that a popular choice is necessary to the legal existence of the sovereign magistracy) would be overlooked, whilst the king of Great Britain was not affected by it. In the meantime the ears of their congregations would be gradually habituated to it, as if it were a first principle admitted without dispute. For the present it would only operate as a theory, pickled in the preserving juices of pulpit eloquence, and laid by for future use. *Condo et compono quæ mox depromere possim*. By this policy, whilst our government is soothed with a reservation in its favour, to which it has no claim, the security, which it has in common with all governments, so far as opinion is security, is taken away.

Thus these politicians proceed, whilst little notice is taken of their doctrines; but when they come to be examined upon the plain meaning of their words, and the direct tendency of their doctrines, then equivocations and slippery constructions come into play. When they say the king owes his crown to the choice of his people, and is therefore the only lawful sovereign in the world, they will perhaps tell us they mean to say no more than that some of the king's predecessors have been called to the throne by some sort of choice; and, therefore, he owes his crown to the choice of his people.

Thus, by a miserable subterfuge, they hope to render their proposition safe, by rendering it nugatory. They are welcome to the asylum they seek for their offence, since they take refuge in their folly. For, if you admit this interpretation, how does their idea of election differ from our idea of inheritance? And how does the settlement of the crown, in the Brunswick line, derived from James I, come to legalize our monarchy, rather than that of any of the neighbouring countries? At some time or other, to be sure, all the beginners of dynasties were chosen by those who called them to govern. There is ground enough for the opinion that all the kingdoms of Europe were, at a remote period, elective, with more or fewer limitations in the objects of choice. But whatever kings might have been here, or elsewhere, a thousand years ago, or in whatever manner the ruling dynasties of England or France may have begun, the king of Great Britain is, at this day, king by a fixed rule of succession, according to the laws of his country; and, whilst the legal conditions of the compact of sovereignty are performed by him, (as they are performed,) he holds his crown in contempt of the choice of the Revolution Society, who have not a single vote for a king amongst them, either individually or collectively; though I make no doubt they would soon erect themselves into an electoral college, if things were ripe to give effect to their claim. His majesty's heirs and successors, each in his time and order, will come to the crown with the same contempt of their choice with which his majesty has succeeded to that he wears.

Whatever may be the success of evasion in explaining away the gross error of *fact*, which supposes that his majesty (though he holds it in concurrence with the wishes) owes his crown to the choice of his people, yet nothing can evade their full explicit declaration, concerning the principle of a right in the people to choose; which right is directly maintained, and tenaciously adhered to. All the oblique insinuations concerning election bottom in this proposition, and are referable

to it. Lest the foundation of the king's exclusive legal title should pass for a mere rant of adulatory freedom, the political divine proceeds dogmatically to assert,* that, by the principles of the Revolution, the people of England have acquired three fundamental rights, all of which, with him, compose one system, and lie together in one short sentence ; namely, that we have acquired a right

1. ' To choose our own governors.'
2. ' To cashier them for misconduct.'
3. ' To frame a government for ourselves.'

This new, and hitherto unheard-of bill of rights, though made in the name of the whole people, belongs to those gentlemen and their faction only. The body of the people of England have no share in it. They utterly disclaim it. They will resist the practical assertion of it with their lives and fortunes. They are bound to do so by the laws of their country, made at the time of that very Revolution, which is appealed to in favour of the fictitious rights claimed by the society which abuses its name.

These gentlemen of the Old Jewry, in all their reasonings on the Revolution of 1688, have a revolution which happened in England about forty years before, and the late French Revolution, so much before their eyes, and in their hearts, that they are constantly confounding all the three together. It is necessary that we should separate what they confound. We must recall their erring fancies to the *acts* of the Revolution which we revere, for the discovery of its true *principles*. If the *principles* of the Revolution of 1688 are anywhere to be found, it is in the statute called the *Declaration of Right*. In that most wise, sober, and considerate declaration, drawn up by great lawyers and great statesmen, and not by warm and inexperienced enthusiasts, not one word is said, nor one suggestion made, of a general right to choose our own *governors* ; to cashier them for misconduct ; and to *form* a government for *ourselves*.'

* P. 34, ' Discourse on the Love of our Country,' by Dr. Price.

This declaration of right (the act of the 1st of William and Mary, sess. 2, ch. 2), is the corner-stone of our constitution, as reinforced, explained, improved, and in its fundamental principles for ever settled. It is called 'An Act for declaring the rights and liberties of the subject, and for *settling* the *succession* of the crown.' You will observe, that these rights and this succession are declared in one body, and bound indissolubly together.

A few years after this period, a second opportunity offered for asserting a right of election to the crown. On the prospect of a total failure of issue from King William, and from the princess, afterwards Queen Anne, the consideration of the settlement of the crown, and of a further security for the liberties of the people, again came before the legislature. Did they this second time make any provision for legalizing the crown on the spurious revolution principles of the Old Jewry. No. They followed the principles which prevailed in the Declaration of Right; indicating with more precision the persons who were to inherit in the Protestant line. This act also incorporated, by the same policy, our liberties, and an hereditary succession in the same act. Instead of a right to choose our own governors they declared that the *succession* in that line (the Protestant line drawn from James I) was absolutely necessary 'for the peace, quiet, and security of the realm,' and that it was equally urgent on them 'to maintain a *certainty in the succession* thereof, to which the subjects may safely have recourse for their protection.' But these acts, in which are heard the unerring, unambiguous, oracles of revolution policy, instead of countenancing the delusive, gipsy, predictions of a 'right to choose our governors,' prove to a demonstration how totally adverse the wisdom of the nation was from turning a case of necessity into a rule of law.

Unquestionably there was at the Revolution, in the person of King William, a small and a temporary devia-

tion from the strict order of a regular hereditary succession ; but it is against all genuine principles of jurisprudence to draw a principle from a law made in a special case, and regarding an individual person. *Privilegium non transit in exemplum*. If ever there was a time favourable for establishing the principle that a king of popular choice was the only legal king, without all doubt it was at the Revolution. Its not being done at that time is a proof that the nation was of opinion it ought not to be done at any time. There is no person so completely ignorant of our history as not to know, that the majority in parliament of both parties were so little disposed to anything resembling that principle, that at first they were determined to place the vacant crown, not on the head of the Prince of Orange, but on that of his wife Mary, daughter of King James, the eldest born of the issue of that king, which they acknowledged as undoubtedly his. It would be to repeat a very trite story, to recall to your memory all those circumstances which demonstrated that their accepting King William was not properly a *choice* ; but to all those who did not wish, in effect, to recall King James, or to deluge their country in blood, and again to bring their religion, laws, and liberties, into the peril they had just escaped, it was an act of *necessity*, in the strictest moral sense in which necessity can be taken.

In the very act, in which for a time, and in a single case, parliament departed from the strict order of inheritance, in favour of a prince, who, though not next, was, however, very near in the line of succession, it is curious to observe how Lord Somers, who drew the bill called the Declaration of Right, has comported himself on that delicate occasion. It is curious to observe with what address this temporary solution of continuity is kept from the eye ; whilst all that could be found in this act of necessity to countenance the idea of an hereditary succession is brought forward, and fostered, and made the most of, by this great man, and by the legislature who followed him. Quitting the

dry, imperative style of an act of parliament, he makes the lords and commons fall to a pious, legislative ejaculation, and declare, that they consider it 'as a marvellous providence, and merciful goodness of God to this nation, to preserve their said majesties *royal* persons, most happily to reign over us *on the throne of their ancestors*, for which, from the bottom of their hearts, they return their humblest thanks and praises.'—The legislature plainly had in view the act of recognition of the first of Queen Elizabeth, chap. 3rd, and of that of James I, chap. 1st, both acts strongly declaratory of the inheritable nature of the crown, and in many parts they follow, with a nearly literal precision, the words and even the form of thanksgiving, which is found in these old declaratory statutes.

The two Houses, in the act of King William, did not thank God that they had found a fair opportunity to assert a right to choose their own governors, much less to make an election the *only lawful* title to the crown. Their having been in condition to avoid the very appearance of it, as much as possible, was by them considered as a providential escape. They threw a politic, well-wrought veil over every circumstance tending to weaken the rights, which in the meliorated order of succession they meant to perpetuate; or which might furnish a precedent for any future departure from what they had then settled for ever. Accordingly, that they might not relax the nerves of their monarchy, and that they might preserve a close conformity to the practice of their ancestors, as it appeared in the declaratory statutes of Queen Mary* and Queen Elizabeth, in the next clause they vest, by recognition, in their majesties, *all* the legal prerogatives of the crown, declaring, 'that in them they are most *fully*, rightfully, and *entirely*, invested, incorporated, united, and annexed.' In the clause which follows, for preventing questions, by reason of any pretended titles to the crown, they declare (observing also in this the traditional lan-

* 1st Mary, sess. 3, ch. 1.

guage, along with the traditionary policy of the nation, and repeating as from a rubric the language of the preceding acts of Elizabeth and James) that on the preserving 'a *certainty* in the SUCCESSION thereof, the unity, peace, and tranquillity of this nation, doth, under God, wholly depend.'

They knew that a doubtful title of succession would but too much resemble an election ; and that an election would be utterly destructive of the 'unity, peace, and tranquillity of this nation,' which they thought to be considerations of some moment. To provide for these objects, and therefore to exclude for ever the Old Jewry doctrine of 'a right to choose our own governors,' they follow with a clause, containing a most solemn pledge, taken from the preceding act of Queen Elizabeth, as solemn a pledge as ever was or can be given in favour of an hereditary succession, and as solemn a renunciation as could be made of the principles by this Society imputed to them. 'The lords spiritual and temporal, and commons, do, in the name of all the people afore-said, most humbly and faithfully submit *themselves, their heirs, and posterities for ever* ; and do faithfully promise, that they will stand to, maintain, and defend their said majesties, and also the *limitation of the crown*, herein specified and contained, to the utmost of their powers,' &c. &c.

So far is it from being true, that we acquired a right by the Revolution to elect our kings, that if we had possessed it before, the English nation did at that time most solemnly renounce and abdicate it, for themselves, and for all their posterity for ever. These gentlemen may value themselves as much as they please on their Whig principles ; but I never desire to be thought a better Whig than Lord Somers ; or to understand the principles of the Revolution better than those by whom it was brought about ; or to read in the Declaration of Right any mysteries unknown to those whose penetrating style has engraved in our ordinances, and in our hearts, the words and spirit of that immortal law.

It is true that, aided with the powers derived from force and opportunity, the nation was at that time, in some sense, free to take what course it pleased for filling the throne; but only free to do so upon the same grounds on which they might have wholly abolished their monarchy, and every other part of their constitution. However, they did not think such bold changes within their commission. It is indeed difficult, perhaps impossible, to give limits to the mere *abstract* competence of the supreme power, such as was exercised by parliament at that time; but the limits of a *moral* competence, subjecting, even in powers more indisputably sovereign, occasional will to permanent reason, and to the steady maxims of faith, justice, and fixed fundamental policy, are perfectly intelligible, and perfectly binding upon those who exercise any authority under any name, or under any title, in the state. The House of Lords, for instance, is not morally competent to dissolve the House of Commons; no, nor even to dissolve itself, nor to abdicate, if it would, its portion in the legislature of the kingdom. Though a king may abdicate for his own person, he cannot abdicate for the monarchy. By as strong, or by a stronger reason, the House of Commons cannot renounce its share of authority. The engagement and pact of society, which generally goes by the name of the constitution, forbids such invasion and such surrender. The constituent parts of a state are obliged to hold their public faith with each other, and with all those who derive any serious interest under their engagements, as much as the whole state is bound to keep its faith with separate communities. Otherwise competence and power would soon be confounded, and no law be left but the will of a prevailing force. On this principle the succession of the crown has always been what it now is, an hereditary succession by law: in the old line it was a succession by the common law; in the new by the statute law; operating on the principles of the common law, not changing the substance, but regulating the mode and

describing the persons. Both these descriptions of law are of the same force, and are derived from an equal authority, emanating from the common agreement and original compact of the state, *communione reipublicæ*, and as such are equally binding on king and people too, as long as the terms are observed, and they continue the same body politic.

It is far from impossible to reconcile, if we do not suffer ourselves to be entangled in the mazes of metaphysic sophistry, the use both of a fixed rule and an occasional deviation; the sacredness of an hereditary principle of succession in our government, with a power of change in its application in cases of extreme emergency. Even in that extremity (if we take the measure of our rights by our exercise of them at the Revolution) the change is to be confined to the peccant part only; to the part which produced the necessary deviation; and even then it is to be effected without a decomposition of the whole civil and political mass, for the purpose of originating a new civil order out of the first elements of society.

A state without the means of some change is without the means of its conservation. Without such means it might even risk the loss of that part of the constitution which it wished the most religiously to preserve. The two principles of conservation and correction operated strongly at the two critical periods of the Restoration and Revolution, when England found itself without a king. At both those periods the nation had lost the bond of union in their ancient edifice; they did not, however, dissolve the whole fabric. On the contrary, in both cases they regenerated the deficient part of the old constitution through the parts which were not impaired. They kept these old parts exactly as they were, that the part recovered might be suited to them. They acted by the ancient organized states in the shape of their old organization, and not by the organic *moleculæ* of a disbanded people. At no time, perhaps, did the sovereign legislature manifest a more

tender regard to that fundamental principle of British constitutional policy, than at the time of the Revolution, when it deviated from the direct line of hereditary succession. The crown was carried somewhat out of the line in which it had before moved ; but the new line was derived from the same stock. It was still a line of hereditary descent ; still an hereditary descent in the same blood, though an hereditary descent qualified with Protestantism. When the legislature altered the direction, but kept the principle, they showed that they held it inviolable.

On this principle, the law of inheritance had admitted some amendment in the old time, and long before the era of the Revolution. Some time after the conquest great questions arose upon the legal principles of hereditary descent. It became a matter of doubt, whether the heir *per capita* or the heir *per stirpes* was to succeed ; but whether the heir *per capita* gave way when the heirdom *per stirpes* took place, or the Catholic heir when the Protestant was preferred, the inheritable principle survived with a sort of immortality through all transmigrations—*multosque per annos stat fortuna domus et avi numerantur avorum*. This is the spirit of our constitution, not only in its settled course, but in all its revolutions. Whoever came in, or however he came in, whether he obtained the crown by law, or by force, the hereditary succession was either continued or adopted.

The gentlemen of the Society for Revolutions see nothing in that of 1688 but the deviation from the constitution ; and they take the deviation from the principle for the principle. They have little regard to the obvious consequences of their doctrine, though they may see that it leaves positive authority in very few of the positive institutions of this country. When such an unwarrantable maxim is once established, that no throne is lawful but the elective, no one act of the princes who preceded this era of fictitious election can be valid. Do these theorists mean to imitate some of

their predecessors, who dragged the bodies of our ancient sovereigns out of the quiet of their tombs? Do they mean to attain and disable backwards all the kings that have reigned before the Revolution, and consequently to stain the throne of England with the blot of a continual usurpation? Do they mean to invalidate, annul, or to call into question, together with the titles of the whole line of our kings, that great body of our statute law which passed under those whom they treat as usurpers? to annul laws of inestimable value to our liberties—of as great value at least as any which have passed at or since the period of the Revolution? If kings, who did not owe their crown to the choice of their people, had no title to make laws, what will become of the statute *de tallagio non concedendo*? of the *petition of right*? of the act of *habeas corpus*? Do these new doctors of the rights of men presume to assert that King James the Second, who came to the crown as next of blood, according to the rules of a then unqualified succession, was not to all intents and purposes a lawful king of England, before he had done any of those acts which were justly construed into an abdication of his crown? If he was not, much trouble in parliament might have been saved at the period these gentlemen commemorate. But King James was a bad king with a good title, and not an usurper. The princes who succeeded according to the act of parliament which settled the crown on the Electress Sophia and on her descendants, being Protestants, came in as much by a title of inheritance as King James did. He came in according to the law, as it stood at his accession to the crown; and the princes of the house of Brunswick came to the inheritance of the crown, not by election, but by the law, as it stood at their several accessions, of Protestant descent and inheritance, as I hope I have shown sufficiently.

The law, by which this royal family is specifically destined to the succession, is the act of the 12th and 13th of King William. The terms of this act bind 'us

and our *heirs*, and our *posterity*, to 'them, their *heirs*, and their *posterity*,' being Protestants, to the end of time, in the same words as the Declaration of Right had bound us to the heirs of King William and Queen Mary. It therefore secures both an hereditary crown and an hereditary allegiance. On what ground, except the constitutional policy of forming an establishment to secure that kind of succession which is to preclude a choice of the people for ever, could the legislature have fastidiously rejected the fair and abundant choice which our own country presented to them, and searched in strange lands for a foreign princess, from whose womb the line of our future rulers were to derive their title to govern millions of men through a series of ages?

The Princess Sophia was named in the act of settlement of the 12th and 13th of King William, for a *stock* and root of *inheritance* to our kings, and not for her merits as a temporary administratrix of a power, which she might not, and in fact did not, herself ever exercise. She was adopted for one reason, and for one only, because, says the act, 'the most excellent Princess Sophia, Electress and Duchess Dowager of Hanover, is *daughter* of the most excellent Princess Elizabeth, late Queen of Bohemia, *daughter* of our late sovereign lord King James the First, of happy memory, and is hereby declared to be the next in *succession* in the Protestant line,' &c. &c. ; 'and the crown shall continue to the *heirs* of her body, being Protestants.' This limitation was made by parliament, that through the Princess Sophia an inheritable line not only was to be continued in future, but (what they thought very material) that through her it was to be connected with the old stock of inheritance in King James the First; in order that the monarchy might preserve an unbroken unity through all ages, and might be preserved (with safety to our religion) in the old approved mode by descent, in which, if our liberties had been once endangered, they had often, through all storms and struggles of prerogative and privilege, been preserved. They did well.

No experience has taught us, that in any other course or method than that of an *hereditary crown* our liberties can be regularly perpetuated and preserved sacred as our *hereditary right*. An irregular, convulsive movement may be necessary to throw off an irregular, convulsive disease. But the course of succession is the healthy habit of the British constitution. Was it that the legislature wanted, at the act for the limitation of the crown in the Hanoverian line, drawn through the female descendants of James the First, a due sense of the inconveniences of having two or three, or possibly more foreigners in succession to the British throne? No!—they had a due sense of the evils which might happen from such foreign rule, and more than a due sense of them. But a more decisive proof cannot be given of the full conviction of the British nation that the principles of the Revolution did not authorize them to elect kings at their pleasure, and without any attention to the ancient fundamental principles of our government, than their continuing to adopt a plan of hereditary Protestant succession in the old line, with all the dangers and all the inconveniences of its being a foreign line full before their eyes, and operating with the utmost force upon their minds.

A few years ago I should be ashamed to overload a matter, so capable of supporting itself, by the then unnecessary support of any argument; but this seditious, unconstitutional doctrine is now publicly taught, avowed, and printed. The dislike I feel to revolutions, the signals for which have so often been given from pulpits; the spirit of change that is gone abroad; the total contempt which prevails with you, and may come to prevail with us of all ancient institutions, when set in opposition to a present sense of convenience, or to the bent of a present inclination: all these considerations make it not unadvisable, in my opinion, to call back our attention to the true principles of our own domestic laws; that you, my French friend, should begin to know, and that we should continue to

cherish them. We ought not, on either side of the water, to suffer ourselves to be imposed upon by the counterfeit wares which some persons, by a double fraud, export to you in illicit bottoms, as raw commodities of British growth, though wholly alien to our soil, in order afterwards to smuggle them back again into this country, manufactured after the newest Paris fashion of an improved liberty.

The people of England will not ape the fashions they have never tried, nor go back to those which they have found mischievous on trial. They look upon the legal hereditary succession of their crown as among their rights, not as among their wrongs; as a benefit, not as a grievance; as a security for their liberty, not as a badge of servitude. They look on the frame of their commonwealth, *such as it stands*, to be of inestimable value; and they conceive the undisturbed succession of the crown to be a pledge of the stability and perpetuity of all the other members of our constitution.

I shall beg leave, before I go any further, to take notice of some paltry artifices, which the abettors of election, as the only lawful title to the crown, are ready to employ, in order to render the support of the just principles of our constitution a task somewhat invidious. These sophisters substitute a fictitious cause, and feigned personages, in whose favour they suppose you engaged, whenever you defend the inheritable nature of the crown. It is common with them to dispute as if they were in a conflict with some of those exploded fanatics of slavery, who formerly maintained, what I believe no creature now maintains, 'that the crown is held by divine, hereditary, and indefeasible right.'—These old fanatics of single arbitrary power dogmatized as if hereditary royalty was the only lawful government in the world, just as our new fanatics of popular arbitrary power maintain that a popular election is the sole lawful source of authority. The old prerogative enthusiasts, it is true, did speculate foolishly, and perhaps impiously, too, as if monarchy had more of a divine sanction than

any other mode of government; and as if a right to govern by inheritance were in strictness *indefeasible* in every person who should be found in the succession to a throne, and under every circumstance, which no civil or political right can be. But an absurd opinion concerning the king's hereditary right to the crown does not prejudice one that is rational, and bottomed upon solid principles of law and policy. If all the absurd theories of lawyers and divines were to vitiate the objects in which they are conversant, we should have no law, and no religion, left in the world. But an absurd theory on one side of a question forms no justification for alleging a false fact, or promulgating mischievous maxims, on the other.

The second claim of the Revolution Society is 'a right of cashiering their governors for *misconduct*.' Perhaps the apprehensions our ancestors entertained of forming such a precedent as that 'of cashiering for misconduct,' was the cause that the declaration of the act, which implied the abdication of King James, was, if it had any fault, rather too guarded, and too circumstantial.* But all this guard, and all this accumulation of circumstances, serve to show the spirit of caution which predominated in the national councils, in a situation in which men, irritated by oppression and elevated by a triumph over it, are apt to abandon themselves to violent and extreme courses: it shows the anxiety of the great men who influenced the conduct of affairs at that great event, to make the Revolution a parent of settlement, and not a nursery of future revolutions.

No government could stand a moment, if it could be blown down with any thing so loose and indefinite as an opinion of '*misconduct*.' They who led at the Revolution grounded their virtual abdication of King

* 'That King James II, having endeavoured to *subvert the constitution* of the kingdom, by breaking the *original contract* between king and people, and, by the advice of Jesuits, and other wicked persons, having violated the *fundamental laws*, and *having withdrawn himself out of the kingdom*, hath *abdicated* the government, and the throne is thereby *vacant*.'

James upon no such light and uncertain principle. They charged him with nothing less than a design, confirmed by a multitude of illegal overt acts, to *subvert the Protestant church and state*, and their *fundamental*, unquestionable laws and liberties: they charged him with having broken the *original contract* between king and people. This was more than *misconduct*. A grave and overruling necessity obliged them to take the step they took, and took with infinite reluctance, as under that most rigorous of all laws. Their trust for the future preservation of the constitution was not in future revolutions. The grand policy of all their regulations was to render it almost impracticable for any future sovereign to compel the states of the kingdom to have again recourse to those violent remedies. They left the crown what, in the eye and estimation of law, it had ever been, perfectly irresponsible. In order to lighten the crown still further, they aggravated responsibility on ministers of state. By the statute of the first of King William, sess. 2nd, called '*the act for declaring the rights and liberties of the subject, and for settling the succession of the crown*,' they enacted, that the ministers should serve the crown on the terms of that declaration. They secured soon after the *frequent meetings of parliament*, by which the whole government would be under the constant inspection and active control of the popular representative and of the magnates of the kingdom. In the next great constitutional act, that of the 12th and 13th of King William, for the further limitation of the crown, and *better* securing the rights and liberties of the subject, they provided, 'that no pardon under the great seal of England should be pleadable to an impeachment by the Commons in parliament.' The rule laid down for government in the Declaration of Right, the constant inspection of parliament, the practical claim of impeachment, they thought infinitely a better security not only for their constitutional liberty, but against the vices of administration, than the reservation of a right so difficult in the practice,

so uncertain in the issue, and often so mischievous in the consequences, as that of 'cashiering their governors.'

Dr. Price, in this sermon,* condemns very properly the practice of gross, adulatory addresses to kings. Instead of this fulsome style, he proposes that his majesty should be told, on occasions of congratulation, that 'he is to consider himself as more properly the servant than the sovereign of his people.' For a compliment, this new form of address does not seem to be very soothing. Those who are servants in name, as well as in effect, do not like to be told of their situation, their duty, and their obligations. The slave in the old play tells his master, '*Hæc commemoratio est quasi exprobratio.*' It is not pleasant as compliment; it is not wholesome as instruction. After all, if the king were to bring himself to echo this new kind of address, to adopt it in terms, and even to take the appellation of servant of the people as his royal style, how either he or we should be much amended by it, I cannot imagine. I have seen very assuming letters, signed, Your most obedient, humble servant. The proudest domination that ever was endured on earth took a title of still greater humility than that which is now proposed for sovereigns by the Apostle of Liberty. Kings and nations were trampled upon by the foot of one calling himself 'the Servant of Servants'; and mandates for deposing sovereigns were sealed with the signet of 'the Fisherman.'

I should have considered all this as no more than a sort of flippant, vain discourse, in which, as in an unsavoury fume, several persons suffer the spirit of liberty to evaporate, if it were not plainly in support of the idea, and a part of the scheme of 'cashiering kings for misconduct.' In that light it is worth some observation.

Kings, in one sense, are undoubtedly the servants of the people, because their power has no other rational end than that of the general advantage; but it is not true that they are, in the ordinary sense (by our consti-

tution, at least) anything like servants ; the essence of whose situation is to obey the commands of some other, and to be removable at pleasure. But the king of Great Britain obeys no other person ; all other persons are individually and collectively too, under him, and owe to him a legal obedience. The law, which knows neither to matter nor to insult, calls this high magistrate not our servant, as this humble divine calls him, but '*our sovereign lord the king*' ; and we, on our parts, have learned to speak only the primitive language of the law, and not the confused jargon of their Babylonian pulpits.

As he is not to obey us, but we are to obey the law in him, our constitution has made no sort of provision towards rendering him, as a servant, in any degree responsible. Our constitution knows nothing of a magistrate like the *Justicia* of Arragon ; nor of any court legally appointed, nor of any process legally settled for submitting the king to the responsibility belonging to all servants. In this he is not distinguished from the commons and the lords ; who, in their several public capacities, can never be called to an account for their conduct ; although the Revolution Society chooses to assert, in direct opposition to one of the wisest and most beautiful parts of our constitution, that 'a king is no more than the first servant of the public, created by it, *and responsible to it.*'

Ill would our ancestors at the Revolution have deserved their fame for wisdom, if they had found no security for their freedom, but in rendering their government feeble in its operations and precarious in its tenure ; if they had been able to contrive no better remedy against arbitrary power than civil confusion. Let these gentlemen state who that *representative* public is to whom they will affirm the king, as a servant, to be responsible. It will be then time enough for me to produce to them the positive statute law which affirms that he is not.

The ceremony of cashiering kings, of which these

gentlemen talk so much at their ease, can rarely, if ever, be performed without force. It then becomes a case of war, and not of constitution. Laws are commanded to hold their tongues amongst arms; and tribunals fall to the ground with the peace they are no longer able to uphold. The Revolution of 1688 was obtained by a just war, in the only case in which any war, and much more a civil war, can be just. '*Justa bella quibus necessaria.*' The question of dethroning, or, if these gentlemen like the phrase better, 'cashiering kings,' will always be, as it has always been, an extraordinary question of state, and wholly out of the law; a question (like all other questions of state) of dispositions, and of means, and of probable consequences, rather than of positive rights. As it was not made for common abuses, so it is not to be agitated by common minds. The speculative line of demarcation, where obedience ought to end, and resistance must begin, is faint, obscure, and not easily definable. It is not a single act, or a single event, which determines it. Governments must be abused and deranged indeed, before it can be thought of; and the prospect of the future must be as bad as the experience of the past. When things are in that lamentable condition, the nature of the disease is to indicate the remedy to those whom nature has qualified to administer in extremities this critical, ambiguous, bitter potion to a distempered state. Times, and occasions, and provocations, will teach their own lessons. The wise will determine from the gravity of the case; the irritable from sensibility to oppression; the high-minded from disdain and indignation at abusive power in unworthy hands; the brave and bold from the love of honourable danger in a generous cause: but, with or without right, a revolution will be the very last resource of the thinking and the good.

The third head of right, asserted by the pulpit of the Old Jewry, namely, the 'right to form a government for ourselves,' has, at least, as little countenance from

anything done at the Revolution, either in precedent or principle, as the two first of their claims. The Revolution was made to preserve our *ancient*, indisputable laws and liberties, and that *ancient* constitution of government which is our only security for law and liberty. If you are desirous of knowing the spirit of our constitution, and the policy which pre-eminated in that great period which has secured it to this hour, pray look for both in our histories, in our records, in our acts of parliament, and journals of parliament, and not in the sermons of the Old Jewry, and the after-dinner toasts of the Revolution Society. In the former you will find other ideas and another language. Such a claim is as ill-suited to our temper and wishes as it is unsupported by any appearance of authority. The very idea of the fabrication of a new government is enough to fill us with disgust and horror. We wished at the period of the Revolution, and do now wish, to derive all we possess as *an inheritance from our forefathers*. Upon that body and stock of inheritance we have taken care not to inoculate any scion alien to the nature of the original plant. All the reformations we have hitherto made have proceeded upon the principle of reference to antiquity; and I hope, nay I am persuaded, that all those which possibly may be made hereafter, will be carefully formed upon analogical precedent, authority, and example.

Our oldest reformation is that of Magna Charta. You will see that Sir Edward Coke, that great oracle of our law, and indeed all the great men who follow him, to Blackstone,* are industrious to prove the pedigree of our liberties. They endeavour to prove the pedigree of our liberties. They endeavour to prove, that the ancient charter, the Magna Charta of King John, was connected with another positive charter from Henry I, and that both the one and the other were nothing more than a reaffirmance of the still more ancient standing law of the kingdom. In the matter of fact, for the greater part, these authors appear to be in the right;

* See Blackstone's 'Magna Charta,' printed at Oxford, 1759.

perhaps not always; but if the lawyers mistake in some particulars, it proves my position still the more strongly; because it demonstrates the powerful prepossession towards antiquity, with which the minds of all our lawyers and legislators, and of all the people whom they wish to influence, have been always filled; and the stationary policy of this kingdom in considering their most sacred rights and franchises as an *inheritance*.

In the famous law of the 3rd of Charles I, called the *Petition of Right*, the parliament says to the king, 'Your subjects have *inherited* this freedom,' claiming their franchises not on abstract principles 'as the rights of men,' but as the rights of Englishmen, and as a patrimony derived from their forefathers. Selden, and the other profoundly learned men, who drew this petition of right, were as well acquainted, at least, with all the general theories concerning the 'rights of men,' as any of the discourses in our pulpits, or on your tribune; full as well as Dr. Price, or as the Abbé Sièyes. But, for reasons worthy of that practical wisdom which superseded their theoretic science, they preferred this positive, recorded, *hereditary* title to all which can be dear to the man and the citizen, to that vague speculative right, which exposed their sure inheritance to be scrambled for and torn to pieces by every wild, litigious spirit.

The same policy pervades all the laws which have since been made for the preservation of our liberties. In the 1st of William and Mary, in the famous statute, called the Declaration of Right, the two Houses utter not a syllable of 'a right to frame a government for themselves.' You will see that their whole care was to secure the religion, laws, and liberties, that had been long possessed, and had been lately endangered. 'Taking * into their most serious consideration the *best* means for making such an establishment, that their religion, laws, and liberties, might not be in danger of being again subverted,' they auspicate all their proceedings, by stating as some of those *best* means, 'in

* I W. and M.

the *first place* ' to do ' as their *ancestors in like cases have usually done* for vindicating their *ancient* rights and liberties, to *declare* ' ; — and then they pray the king and queen, ' that it may be *declared* and enacted, that *all and singular* the rights and liberties *asserted and declared* are the true *ancient* and indubitable rights and liberties of the people of this kingdom.'

You will observe, that from Magna Charta to the Declaration of Right, it has been the uniform policy of our constitution to claim and assert our liberties, as an *entailed inheritance* derived to us from our forefathers, and to be transmitted to our posterity; as an estate specially belonging to the people of this kingdom, without any reference whatever to any other more general or prior right. By this means our constitution preserves an unity in so great a diversity of its parts. We have an inheritable crown; an inheritable peerage; and a House of Commons and a people inheriting privileges, franchises, and liberties, from a long line of ancestors.

The policy appears to me to be the result of profound reflection; or rather the happy effect of following nature, which is wisdom without reflection, and above it. A spirit of innovation is generally the result of a selfish temper, and confined views. People will not look forward to posterity, who never look backward to their ancestors. Besides, the people of England well know, that the idea of inheritances furnishes a sure principle of conservation, and a sure principle of transmission; without at all excluding a principle of improvement. It leaves acquisition free; but it secures what it acquires. Whatever advantages are obtained by a state proceeding on these maxims, are locked fast as in a sort of family settlement; grasped as in a kind of mortmain for ever. By a constitutional policy working after the pattern of nature, we receive, we hold, we transmit our government and our privileges, in the same manner in which we enjoy and transmit our property and our lives. The institutions of policy, the goods of fortune, the gifts of Providence,

are handed down to us, and from us, in the same course and order. Our political system is placed in a just correspondence and symmetry with the order of the world, and with the mode of existence decreed to a permanent body composed of transitory parts ; wherein, by the disposition of a stupendous wisdom, moulding together the great mysterious incorporation of the human race, the whole, at one time, is never old, or middle-aged, or young, but, in a condition of unchangeable constancy, moves on through the varied tenor of perpetual decay, fall, renovation, and progression. Thus, by preserving the method of nature in the conduct of the state, in what we improve, we are never wholly new ; in what we retain, we are never wholly obsolete. By adhering in this manner and on those principles to our forefathers, we are guided not by the superstition of antiquarians, but by the spirit of philosophic analogy. In this choice of inheritance we have given to our frame of polity the image of a relation in blood ; binding up the constitution of our country with our dearest domestic ties ; adopting our fundamental laws into the bosom of our family affections ; keeping inseparable and cherishing with the warmth of all their combined and mutually reflected charities, our state, our hearths, our sepulchres, and our altars.

Through the same plan of a conformity to nature in our artificial institutions, and by calling in the aid of her unerring and powerful instincts, to fortify the fallible and feeble contrivances of our reason, we have derived several other, and those no small benefits, from considering our liberties in the light of an inheritance. Always acting as if in the presence of canonized forefathers, the spirit of freedom, leading in itself to misrule and excess, is tempered with an awful gravity. This idea of a liberal descent inspires us with a sense of habitual native dignity, which prevents that upstart insolence, almost inevitably adhering to and disgracing those who are the first acquirers of any distinction. By this means our liberty becomes a noble freedom.

It carries an imposing and majestic aspect. It has a pedigree and illustrating ancestors. It has its bearings and its ensigns armorial. It has its gallery of portraits; its monumental inscriptions; its records, evidences, and titles. We procure reverence to our civil institutions on the principle upon which nature teaches us to revere individual men; on account of their age, and on account of those from whom they are descended. All your sophisters cannot produce anything better adapted to preserve a rational and manly freedom than the course that we have pursued, who have chosen our nature rather than our speculations, our breasts rather than our inventions, for the great conservatories and magazines of our rights and privileges.

You might, if you pleased, have profited of our example, and have given to your recovered freedom a correspondent dignity. Your privileges, though discontinued, were not lost to memory. Your constitution, it is true, whilst you were out of possession, suffered waste and dilapidation; but you possessed in some parts the walls, and, in all, the foundations, of a noble and venerable castle. You might have repaired those walls; you might have built on those old foundations. Your constitution was suspended before it was perfected; but you had the elements of a constitution very nearly as good as could be wished. In your old states you possessed that variety of parts corresponding with the various descriptions of which your community was happily composed; you had all that combination, and all that opposition of interests, you had that action and counteraction which, in the natural and in the political world, from the reciprocal struggle of discordant powers, draws out the harmony of the universe. These opposed and conflicting interests, which you considered as so great a blemish in your old and in our present constitution, interpose a salutary check to all precipitate resolutions. They render deliberation a matter not of choice, but of necessity; they make all change a subject of *compromise*, which naturally begets

moderation ; they produce *temperaments*, preventing the sore evil of harsh, crude, unqualified reformatations ; and rendering all the headlong exertions of arbitrary power, in the few or in the many, for ever impracticable. Through that diversity of members and interests, general liberty had as many securities as there were separate views in the several orders ; whilst by pressing down the whole by the weight of a real monarchy, the separate parts would have been prevented from warping, and starting from their allotted places.

You had all these advantages in your ancient states ; but you chose to act as if you had never been moulded into civil society, and had everything to begin anew. You began ill, because you began by despising everything that belonged to you. You set up your trade without a capital. If the last generations of your country appeared without much lustre in your eyes, you might have passed them by, and derived your claims from a more early race of ancestors. Under a pious predilection for those ancestors, your imaginations would have realized in them a standard of virtue and wisdom, beyond the vulgar practice of the hour : and you would have risen with the example to whose imitation you aspired. Respecting your forefathers, you would have been taught to respect yourselves. You would not have chosen to consider the French as a people of yesterday, as a nation of low-born, servile wretches until the emancipating year of 1789. In order to furnish, at the expense of your honour, an excuse to your apologists here for several enormities of yours, you would not have been content to be represented as a gang of Maroon slaves, suddenly broke loose from the house of bondage, and therefore to be pardoned for your abuse of the liberty to which you were not accustomed, and were ill fitted. Would it not, my worthy friend, have been wiser to have you thought, what I, for one, always thought you, a generous and gallant nation, long misled to your disadvantage, by your high and romantic sentiments of fidelity, honour, and loyalty ; that events

had been unfavourable to you, but that you were not enslaved through any illiberal or servile disposition ; that in your most devoted submission, you were actuated by a principle of public spirit, and that it was your country you worshipped, in the person of your king ? Had you made it to be understood, that in the delusion of this amiable error you had gone further than your wise ancestors ; that you were resolved to resume your ancient privileges, whilst you preserved the spirit of your ancient and your recent loyalty and honour ; or if, diffident of yourselves, and not clearly discerning the almost obliterated constitution of your ancestors, you had looked to your neighbours in this land, who had kept alive the ancient principles and models of the old common law of Europe, meliorated and adapted to its present state—by following wise examples you would have given new examples of wisdom to the world. You would have rendered the cause of liberty venerable in the eyes of every worthy mind in every nation. You would have shamed despotism from the earth, by showing that freedom was not only reconcilable, but, as when well disciplined it is, auxiliary to law. You would have had an unoppressive but a productive revenue. You would have had a flourishing commerce to feed it. You would have had a free constitution ; a potent monarchy ; a disciplined army ; a reformed and venerated clergy ; a mitigated but spirited nobility, to lead your virtue, not to overlay it ; you would have had a liberal order of commons, to emulate and to recruit that nobility ; you would have had a protected, satisfied, laborious, and obedient people, taught to seek and to recognize the happiness that is to be found by virtue in all conditions ; in which consists the true moral equality of mankind, and not in that monstrous fiction, which, by inspiring false ideas and vain expectations into men destined to travel in the obscure walk of laborious life, serves only to aggravate and embitter that real inequality, which it never can remove : and which the order of civil life

establishes as much for the benefit of those whom it must leave in an humble state, as those whom it is able to exalt to a condition more splendid, but not more happy. You had a smooth and easy career of felicity and glory laid open to you, beyond anything recorded in the history of the world ; but you have shown that difficulty is good for man.

Compute your gains ; see what is got by those extravagant and presumptuous speculations which have taught your leaders to despise all their predecessors, and all their contemporaries, and even to despise themselves, until the moment in which they became truly despicable. By following those false lights, France has bought undisguised calamities at a higher price than any nation has purchased the most unequivocal blessings ! France has bought poverty by crime ! France has not sacrificed her virtue to her interest ; but she has abandoned her interest, that she might prostitute her virtue. All other nations have begun the fabric of a new government, or the reformation of an old, by establishing originally, or by enforcing with greater exactness, some rites or other of religion. All other people have laid the foundations of civil freedom in severer manners and a system of a more austere and masculine morality. France, when she let loose the reins of regal authority, doubled the licence of a ferocious dissoluteness in manners, and of an insolent irreligion in opinions and practices ; and has extended through all ranks of life, as if she were communicating some privilege, or laying open some secluded benefit, all the unhappy corruptions that usually were the disease of wealth and power. This is one of the new principles of equality in France.

France, by the perfidy of her leaders, has utterly disgraced the tone of lenient counsel in the cabinets of princes, and disarmed it of its most potent topics. She has sanctified the dark, suspicious maxims of tyrannous distrust ; and taught kings to tremble at (what will hereafter be called) the delusive plausibilities of moral

politicians. Sovereigns will consider those, who advise them to place an unlimited confidence in their people, as subverters of their thrones; as traitors who aim at their destruction, by leading their easy good-nature, under specious pretences, to admit combinations of bold and faithless men into a participation of their power. This alone (if there were nothing else) is an irreparable calamity to you and to mankind. Remember that your parliament of Paris told your king, that, in calling the states together, he had nothing to fear but the prodigal excess of their zeal in providing for the support of the throne. It is right that these men should hide their heads. It is right that they should bear their part in the ruin which their counsel has brought on their sovereign and their country. Such sanguine declarations tend to lull authority asleep; to encourage it rashly to engage in perilous adventures of untried policy; to neglect those provisions, preparations and precautions, which distinguish benevolence from imbecility; and without which no man can answer for the salutary effect of any abstract plan of government or of freedom. For want of these, they have seen the medicine of the state corrupted into its poison. They have seen the French rebel against a mild and lawful monarch, with more fury, outrage, and insult, than ever any people has been known to rise against the most illegal usurper, or the most sanguinary tyrant. Their resistance was made to concession; their revolt was from protection; their blow was aimed at a hand holding out graces, favours, and immunities.

This was unnatural. The rest is in order. They have found their punishment in their success. Laws overturned; tribunals subverted; industry without vigour; commerce expiring; the revenue unpaid, yet the people impoverished; a church pillaged, and a state not relieved; civil and military anarchy made the constitution of the kingdom; everything human and divine sacrificed to the idol of public credit, and national bankruptcy the consequence; and, to crown all, the

paper securities of new, precarious, tottering power, the discredited paper securities of impoverished fraud, and beggared rapine, held out as a currency for the support of the empire, in lieu of the two great recognized species that represent the lasting, conventional credit of mankind, which disappeared and hid themselves in the earth from whence they came, when the principle of property, whose creatures and representatives they are, was systematically subverted.

Were all these dreadful things necessary? Were they the inevitable results of the desperate struggle of determined patriots, compelled to wade through blood and tumult, to the quiet shore of a tranquil and prosperous liberty? No! nothing like it. The fresh ruins of France, which shock our feelings wherever we can turn our eyes, are not the devastation of civil war; they are the sad but instructive monuments of rash and ignorant counsel in time of profound peace. They are the display of inconsiderate and presumptuous, because unresisted and irresistible authority. The persons who have thus squandered away the precious treasure of their crimes, the persons who have made this prodigal and wild waste of public evils (the last stake reserved for the ultimate ransom of the state) have met in their progress with little, or rather with no opposition at all. Their whole march was more like a triumphal procession, than the progress of a war. Their pioneers have gone before them, and demolished and laid everything level at their feet. Not one drop of *their* blood have they shed in the cause of the country they have ruined. They have made no sacrifices to their projects of greater consequence than their shoe-buckles, whilst they were imprisoning their king, murdering their fellow-citizens, and bathing in tears, and plunging in poverty and distress, thousands of worthy men and worthy families. Their cruelty has not even been the base result of fear. It has been the effect of their sense of perfect safety, in authorizing treasons, robberies, rapes, assassinations, slaughters, and burn-

ings, throughout their harassed land. But the cause of all was plain from the beginning.

This unforced choice, this fond election of evil, would appear perfectly unaccountable, if we did not consider the composition of the National Assembly; I do not mean its formal constitution, which, as it now stands, is exceptionable enough, but the materials of which, in a great measure, it is composed, which is of ten thousand times greater consequence than all the formalities in the world. If we were to know nothing of this assembly but by its title and function, no colours could paint to the imagination anything more venerable. In that light the mind of an inquirer, subdued by such an awful image as that of the virtue and wisdom of a whole people collected into one focus, would pause and hesitate in condemning things even of the very worst aspect. Instead of blamable, they would appear only mysterious. But no name, no power, no function, no artificial institution whatsoever, can make the men of whom any system of authority is composed, any other than God, and nature, and education, and their habits of life have made them. Capacities beyond these the people have not to give. Virtue and wisdom may be the objects of their choice; but their choice confers neither the one nor the other on those upon whom they lay their ordaining hands. They have not the engagement of nature, they have not the promise of revelation for any such powers.

After I had read over the list of the persons and descriptions elected into the *Tiers Etat*, nothing which they afterwards did could appear astonishing. Among them, indeed, I saw some of known rank; some of shining talents; but of any practical experience in the state, not one man was to be found. The best were only men of theory. But whatever the distinguished few may have been, it is the substance and mass of the body which constitutes its character, and must finally determine its direction. In all bodies, those who will lead, must also, in a considerable degree, follow. They

must conform their propositions to the taste, talent, and disposition, of those whom they wish to conduct : therefore, if an assembly is viciously or feebly composed in a very great part of it, nothing but such a supreme degree of virtue as very rarely appears in the world, and for that reason cannot enter into calculation, will prevent the men of talents disseminated through it from becoming only the expert instruments of absurd projects ! If, what is the more likely event, instead of that unusual degree of virtue, they should be actuated by sinister ambition, and a lust of meretricious glory, then the feeble part of the assembly, to whom at first they conform, becomes in its turn the dupe and instrument of their designs. In this political traffic, the leaders will be obliged to bow to the ignorance of their followers, and the followers to become subservient to the worst designs of their leaders.

To secure any degree of sobriety in the propositions made by the leaders in any public assembly, they ought to respect, in some degree perhaps to fear, those whom they conduct. To be led any otherwise than blindly, the followers must be qualified, if not for actors, at least for judges ; they must also be judges of natural weight and authority. Nothing can secure a steady and moderate conduct in such assemblies, but that the body of them should be respectably composed, in point of condition in life, of permanent property, of education, and of such habits as enlarge and liberalize the understanding.

In the calling of the states-general of France, the first thing that struck me, was a great departure from the ancient course. I found the representation for the third estate composed of six hundred persons. They were equal in number to the representatives of both the other orders. If the orders were to act separately, the number would not, beyond the consideration of the expense, be of much moment. But when it became apparent that the orders were to be melted down into one, the policy and necessary effect of this numerous

representation became obvious. A very small desertion from either of the two other orders must throw the power of both into the hands of the third. In fact, the whole power of the state was soon resolved into that body. Its due composition became therefore of infinitely the greater importance.

Judge, sir, of my surprise, when I found that a very great proportion of the assembly (a majority, I believe, of the members who attended) was composed of practitioners in the law. It was composed, not of distinguished magistrates, who had given pledges to their country of their science, prudence, and integrity; not of leading advocates, the glory of the bar; not of renowned professors in universities;—but for the far greater part, as it must in such a number, of the inferior, unlearned, mechanical, merely instrumental members of the profession. There were distinguished exceptions; but the general composition was of obscure provincial advocates, of stewards of petty local jurisdictions, country attorneys, notaries, and the whole train of the ministers of municipal litigation, the fomenters and conductors of the petty war of village vexation. From the moment I read the list, I saw distinctly, and very nearly as it has happened, all that was to follow.

The degree of estimation in which any profession is held becomes the standard of the estimation in which the professors hold themselves. Whatever the personal merits of many individual lawyers might have been, and in many it was undoubtedly very considerable, in that military kingdom no part of the profession had been much regarded, except the highest of all, who often united to their professional offices great family splendour, and were invested with great power and authority. These certainly were highly respected, and even with no small degree of awe. The next rank was not much esteemed; the mechanical part was in a very low degree of repute.

Whenever the supreme authority is vested in a body so composed, it must evidently produce the consequence

of supreme authority placed in the hands of men not taught habitually to respect themselves; who had no previous fortune in character at stake; who could not be expected to bear with moderation, or to conduct with discretion, a power, which they themselves, more than any others, must be surprised to find in their hands. Who could flatter himself that these men, suddenly, and, as it were, by enchantment, snatched from the humblest rank of subordination, would not be intoxicated with their unprepared greatness? Who could conceive that men, who are habitually meddling, daring, subtle, active, of litigious dispositions, and unquiet minds, would easily fall back into their old condition of obscure contention, and laborious, low, and unprofitable chicane? Who could doubt but that, at any expense to the state, of which they understood nothing, they must pursue their private interests, which they understood but too well? It was not an event depending on chance or contingency. It was inevitable; it was necessary; it was planted in the nature of things. They must *join* (if their capacity did not permit them to *lead*) in any project which could procure to them a *litigious constitution*; which could lay open to them those innumerable lucrative jobs, which follow in the train of all great convulsions and revolutions in the state, and particularly in all great and violent permutations of property. Was it to be expected that they would attend to the stability of property, whose existence had always depended upon whatever rendered property questionable, ambiguous, and insecure? Their objects would be enlarged with their elevation, but their disposition and habits, and mode of accomplishing their designs, must remain the same.

Well! but these men were to be tempered and restrained by other descriptions, of more sober minds, and more enlarged understandings. Were they then to be awed by the super-eminent authority and awful dignity of a handful of country clowns, who have seats in that assembly, some of whom are said not to be able

to read and write? and by not a greater number of traders, who, though somewhat more instructed, and more conspicuous in the order of society, had never known anything beyond their counting-house? No! both these descriptions were more formed to be overborne and swayed by the intrigues and artifices of lawyers, than to become their counterpoise. With such a dangerous disproportion, the whole must needs be governed by them. To the faculty of law was joined a pretty considerable proportion of the faculty of medicine. This faculty had not, any more than that of the law, possessed in France its just estimation. Its professors, therefore, must have the qualities of men not habituated to sentiments of dignity. But supposing they had ranked as they ought to do, and as with us they do actually, the sides of sick-beds are not the academies for forming statesmen and legislators. Then came the dealers in stocks and funds, who must be eager, at any expense, to change their ideal paper wealth for the more solid substance of land. To these were joined men of other descriptions, from whom as little knowledge of, or attention to, the interests of a great state was to be expected, and as little regard to the stability of any institution; men formed to be instruments, not controls. Such in general was the composition of the *Tiers Etat* in the National Assembly; in which was scarcely to be perceived the slightest traces of what we call the natural landed interest of the country.

• We know that the British House of Commons, without shutting its doors to any merit in any class, is, by the sure operation of adequate causes, filled with everything illustrious in rank, in descent, in hereditary and in acquired opulence, in cultivated talents, in military, civil, naval, and politic distinction, that the country can afford. But supposing, what hardly can be supposed as a case, that the House of Commons should be composed in the same manner with the *Tiers Etat* in France, would this dominion of chicane be borne with patience, or even conceived without horror? God

forbid I should insinuate anything derogatory to that profession, which is another priesthood, administering the rights of sacred justice. But whilst I revere men in the functions which belong to them, and would do as much as one man can do to prevent their exclusion from any, I cannot, to flatter them, give the lie to nature. They are good and useful in the composition; they must be mischievous if they preponderate so as virtually to become the whole. Their very excellence in their peculiar functions may be far from a qualification for others. It cannot escape observation, that when men are too much confined to professional and faculty habits, and, as it were, inveterate in the recurrent employment of that narrow circle, they are rather disabled than qualified for whatever depends on the knowledge of mankind, on experience in mixed affairs, on a comprehensive, connected view of the various, complicated, external and internal interests, which go to the formation of that multifarious thing called a state.

After all, if the House of Commons were to have an wholly professional and faculty composition, what is the power of the House of Commons, circumscribed and shut in by the immovable barriers of law, usages, positive rules of doctrine and practice, counterpoised by the House of Lords, and every moment of its existence at the discretion of the crown to continue, prorogue, or dissolve us? The power of the House of Commons, direct or indirect, is indeed great; and long may it be able to preserve its greatness, and the spirit belonging to true greatness, at the full; and it will do so, as long as it can keep the breakers of law in India from becoming the makers of law for England. The power, however, of the House of Commons, when least diminished, is as a drop of water in the ocean, compared to that residing in a settled majority of your National Assembly. That assembly, since the destruction of the orders, has no fundamental law, no strict convention, no respected usage to restrain it. Instead of finding themselves obliged to conform to a fixed constitution,

they have a power to make a constitution which shall conform to their designs. Nothing in heaven or upon earth can serve as a control on them. What ought to be the heads, the hearts, the dispositions, that are qualified, or that dare, not only to make laws under a fixed constitution, but at one heat to strike out a totally new constitution for a great kingdom, and in every part of it, from the monarch on the throne to the vestry of a parish? But—'*fools rush in where angels fear to tread.*' In such a state of unbounded power, for undefined and undefinable purposes, the evil of a moral and almost physical inaptitude of the man to the function, must be the greatest we can conceive to happen in the management of human affairs.

Having considered the composition of the third estate as it stood in its original frame, I took a view of the representatives of the clergy. There too it appeared that full as little regard was had to the general security of property, or to the aptitude of the deputies for their public purposes, in the principles of their election. That election was so contrived as to send a very large proportion of mere country curates to the great and arduous work of new-modelling a state; men who had never seen the state so much as in a picture; men who knew nothing of the world beyond the bounds of an obscure village; who, immersed in hopeless poverty, could regard all property, whether secular or ecclesiastical, with no other eye than that of envy; among whom must be many, who, for the smallest hope of the meanest dividend in plunder, would readily join in any attempts upon a body of wealth, in which they could hardly look to have any share, except in a general scramble. Instead of balancing the power of the active chicaners in the other assembly, these curates must necessarily become the active coadjutors, or at best the passive instruments, of those by whom they had been habitually guided in their petty village concerns. They too could hardly be the most conscientious of their kind who, presuming upon their incompetent understanding, could

intrigue for a trust which led them from their natural relation to their flocks, and their natural spheres of action, to undertake the regeneration of kingdoms. This preponderating weight, being added to the force of the body of chicane in the *Tiers Etat*, completed that momentum of ignorance, rashness, presumption, and lust of plunder, which nothing has been able to resist.

To observing men it must have appeared from the beginning that the majority of the third estate, in conjunction with such a deputation from the clergy, as I have described, whilst it pursued the destruction of the nobility, would inevitably become subservient to the worst designs of individuals in that class. In the spoil and humiliation of their own order these individuals would possess a sure fund for the pay of their new followers. To squander away the objects which made the happiness of their fellows, would be to them no sacrifice at all. Turbulent, discontented men of quality, in proportion as they are puffed up with personal pride and arrogance, generally despise their own order. One of the first symptoms they discover of a selfish and mischievous ambition, is a profligate disregard of a dignity which they partake with others. To be attached to the subdivision, to love the little platoon we belong to in society, is the first principle (the germ as it were) of public affections. It is the first link in the series by which we proceed towards a love to our country, and to mankind. The interest of that portion of social arrangement is a trust in the hands of all those who compose it; and as none but bad men would justify it in abuse, none but traitors would barter it away for their own personal advantage.

There were, in the time of our civil troubles in England (I do not know whether you have any such in your assembly in France), several persons, like the then Earl of Holland, who by themselves or their families had brought an odium on the throne, by the prodigal dispensation of its bounties towards them, who afterwards joined in the rebellions arising from the discontents of

which they were themselves the cause ; men who helped to subvert that throne to which they owed, some of them, their existence, others all that power which they employed to ruin their benefactor. If any bounds are set to the rapacious demands of that sort of people, or that others are permitted to partake in the objects they would engross, revenge and envy soon fill up the craving void that is left in their avarice. Confounded by the complication of distempered passions, their reason is disturbed ; their views become vast and perplexed ; to others inexplicable ; to themselves uncertain. They find, on all sides, bounds to their unprincipled ambition in any fixed order of things. But in the fog and haze of confusion all is enlarged, and appears without any limit.

When men of rank sacrifice all ideas of dignity to an ambition without a distinct object, and work with low instruments and for low ends, the whole composition becomes low and base. Does not something like this now appear in France ? Does it not produce something ignoble and inglorious ? a kind of meanness in all the prevalent policy ? a tendency in all that is done to lower along with individuals all the dignity and importance of the state ? Other revolutions have been conducted by persons, who, whilst they attempted or affected changes in the commonwealth, sanctified their ambition by advancing the dignity of the people whose peace they troubled. They had long views. They aimed at the rule, not at the destruction of their country. They were men of great civil, and great military talents, and, if the terror, the ornament of their age. They were not like Jew brokers contending with each other who could best remedy with fraudulent circulation and depreciated paper the wretchedness and ruin brought on their country by their degenerate councils. The compliment made to one of the great bad men of the old stamp (Cromwell) by his kinsman, a favourite poet of that time, shows what it was he proposed, and what indeed to a great degree he accomplished in the success of his ambition :

'Still as *you* rise, the *state* exalted too,
Finds no distemper whilst 'tis changed by *you* ;
Changed like the world's great scene, when without noise
The rising sun night's *vulgar* lights destroys.'

These disturbers were not so much like men usurping power, as asserting their natural place in society. Their rising was to illuminate and beautify the world. Their conquest over their competitors was by outshining them. The hand that, like a destroying angel, smote the country, communicated to it the force and energy under which it suffered. I do not say (God forbid), I do not say, that the virtues of such men were to be taken as a balance to their crimes : but they were some corrective to their effects. Such was, as I said, our Cromwell. Such were your whole race of Guises, Condés, and Colignis. Such the Richelieus, who in more quiet times acted in the spirit of a civil war. Such, as better men, and in a less dubious cause, were your Henry IV and your Sully, though nursed in civil confusions, and not wholly without some of their taint. It is a thing to be wondered at, to see how very soon France, when she had a moment to respire, recovered and emerged from the longest and most dreadful civil war that ever was known in any nation. Why ? Because, among all their massacres, they had not slain the *mind* in their country. A conscious dignity, a noble pride, a generous sense of glory and emulation, was not extinguished. On the contrary, it was kindled and inflamed. The organs also of the state, however shattered, existed. All the prizes of honour and virtue, all the rewards, all the distinctions, remained. But your present confusion, like a palsy, has attacked the fountain of life itself. Every person in your country, in a situation to be actuated by a principle of honour, is disgraced and degraded, and can entertain no sensation of life, except in a mortified and humiliated indignation. But this generation will quickly pass away. The next generation of the nobility will resemble the artificers and clowns, and money-jobbers, usurers, and

Jews, who will be always their fellows, sometimes their masters. Believe me, sir, those, who attempt to level, never equalize. In all societies, consisting of various descriptions of citizens, some description must be uppermost. The levellers therefore only change and pervert the natural order of things; they load the edifice of society, by setting up in the air what the solidity of the structure requires to be on the ground. The associations of tailors and carpenters, of which the republic (of Paris, for instance) is composed, cannot be equal to the situation, into which, by the worst of usurpations, an usurpation on the prerogatives of nature, you attempt to force them.

The Chancellor of France, at the opening of the states, said, in a tone of oratorical flourish, that all occupations were honourable. If he meant only that no honest employment was disgraceful, he would not have gone beyond the truth. But in asserting that anything is honourable, we imply some distinction in its favour. The occupation of a hair-dresser, or of a working tallow-chandler, cannot be a matter of honour to any person—to say nothing of a number of other more servile employments. Such descriptions of men ought not to suffer oppression from the state; but the state suffers oppression, if such as they, either individually or collectively, are permitted to rule. In this you think you are combating prejudice, but you are at war with nature.*

* Ecclesiasticus, chap. xxxviii. vers. 24, 25. 'The wisdom of a learned man cometh by opportunity of leisure: and he that hath little business shall become wise.'—'How can he get wisdom that holdeth the plough, and that glorieth in the goad; that driveth oxen; and is occupied in their labours; and whose talk is of bullocks?'

Ver. 27. 'So every carpenter and work-master that laboureth night and day,' &c.

Ver. 33. 'They shall not be sought for in public counsel, nor sit high in the congregation: they shall not sit on the judge's seat, nor understand the sentence of judgment: they cannot declare justice and judgment, and they shall not be found where parables are spoken.'

Ver. 34. 'But they will maintain the state of the world.'

I do not determine whether this book be canonical, as the Gallican Church (till lately) has considered it, or apocryphal, as here it is taken. I am sure it contains a great deal of sense and truth.

I do not, my dear sir, conceive you to be of that sophistical, captious spirit, or of that uncandid dulness, as to require, for every general observation or sentiment, an explicit detail of the correctives and exceptions, which reason will presume to be included in all the general propositions which come from reasonable men. You do not imagine, that I wish to confine power, authority, and distinction to blood, and names, and titles. No, sir. There is no qualification for government but virtue and wisdom, actual or presumptive. Wherever they are actually found, they have, in whatever state, condition, profession or trade, the passport of heaven to human place and honour. Woe to the country which would madly and impiously reject the service of the talents and virtues, civil, military, or religious, that are given to grace and to serve it ; and would condemn to obscurity everything formed to diffuse lustre and glory around a state. Woe to that country too that, passing into the opposite extreme, considers a low education, a mean contracted view of things, a sordid, mercenary occupation, as a preferable title to command. Everything ought to be open ; but not indifferently to every man. No rotation ; no appointment by lot ; no mode of election operating in the spirit of sortition, or rotation, can be generally good in a government conversant in extensive objects. Because they have no tendency, direct or indirect, to select the man with a view to the duty, or to accommodate the one to the other. I do not hesitate to say that the road to eminence and power, from obscure condition, ought not to be made too easy, nor a thing too much of course. If rare merit be the rarest of all rare things, it ought to pass through some sort of probation. The temple of honour ought to be seated on an eminence. If it be opened through virtue, let it be remembered too that virtue is never tried but by some difficulty and some struggle.

Nothing is a due and adequate representation of a state that does not represent its ability, as well as its pro-

perty. But as ability is a vigorous and active principle, and as property is sluggish, inert and timid, it never can be safe from the invasions of ability, unless it be, out of all proportion, predominant in the representation. It must be represented too in great masses of accumulation, or it is not rightly protected. The characteristic essence of property, formed out of the combined principles of its acquisition and conservation, is to be *unequal*. The great masses therefore which excite envy, and tempt rapacity, must be put out of the possibility of danger. Then they form a natural rampart about the lesser properties in all their gradations. The same quantity of property, which is by the natural course of things divided among many, has not the same operation. Its defensive power is weakened as it is diffused. In this diffusion each man's portion is less than what, in the eagerness of his desires, he may flatter himself to obtain by dissipating the accumulations of others. The plunder of the few would indeed give but a share inconceivably small in the distribution to the many. But the many are not capable of making this calculation; and those who lead them to rapine never intend this distribution.

The power of perpetuating our property in our families is one of the most valuable and interesting circumstances belonging to it, and that which tends the most to the perpetuation of society itself. It makes our weakness subservient to our virtue; it grafts benevolence even upon avarice. The possessors of family wealth, and of the distinction which attends hereditary possession, (as most concerned in it,) are the natural securities for this transmission. With us the House of Peers is formed upon this principle. It is wholly composed of hereditary property and hereditary distinction and made therefore the third of the legislature; and in the last event, the sole judge of all property in all its subdivisions. The House of Commons too, though not necessarily, yet in fact, is always so composed, in the far greater part. Let those large pro-

prietors be what they will, and they have their chance of being among the best, they are, at the very worst, the ballast in the vessel of the commonwealth. For though hereditary wealth, and the rank which goes with it, are too much idolized by creeping sycophants, and the blind, abject admirers of power, they are too rashly slighted in shallow speculations of the petulant, assuming, short-sighted coxcombs of philosophy. Some decent, regulated pre-eminence, some preference (not exclusive appropriation), given to birth, is neither unnatural, nor unjust, nor impolitic.

It is said, that twenty-four millions ought to prevail over two hundred thousand. True; if the constitution of a kingdom be a problem of arithmetic. This sort of discourse does well enough with the lamp-post for its second: to men who *may* reason calmly, it is ridiculous. The will of the many, and their interest, must very often differ; and great will be the difference when they make an evil choice. A government of five hundred country attorneys and obscure curates is not good for twenty-four millions of men, though it were chosen by eight and forty millions; nor is it the better for being guided by a dozen of persons of quality, who have betrayed their trust in order to obtain that power. At present, you seem in everything to have strayed out of the high road of nature. The property of France does not govern it. Of course property is destroyed, and rational liberty has no existence. All you have got for the present is a paper circulation, and a stock-jobbing constitution: and, as to the future, do you seriously think that the territory of France, upon the republican system of eighty-three independent municipalities (to say nothing of the parts that compose them), can ever be governed as one body, or can ever be set in motion by the impulse of one mind? When the National Assembly has completed its work, it will have accomplished its ruin. These commonwealths will not long bear a state of subjection to the republic of Paris. They will not bear that this one body should monopolize

the captivity of the king, and the dominion over the assembly calling itself national. Each will keep its own portion of the spoil of the church to itself; and it will not suffer either that spoil, or the more just fruits of their industry, or the natural produce of their soil, to be sent to swell the insolence, or pamper the luxury of the mechanics of Paris. In this they will see none of the equality, under the pretence of which they have been tempted to throw off their allegiance to their sovereign, as well as the ancient constitution of their country. There can be no capital city in such a constitution as they have lately made. They have forgot that, when they framed democratic governments, they had virtually dismembered their country. The person, whom they persevere in calling king, has not power left to him by the hundredth part sufficient to hold together this collection of republics. The republic of Paris will endeavour indeed to complete the debauchery of the army, and illegally to perpetuate the assembly, without resort to its constituents, as the means of continuing its despotism. It will make efforts, by becoming the heart of a boundless paper circulation, to draw everything to itself; but in vain. All this policy in the end will appear as feeble as it is now violent.

If this be your actual situation, compared to the situation to which you were called, as it were by the voice of God and man, I cannot find it in my heart to congratulate you on the choice you have made, or the success which has attended your endeavours. I can as little recommend to any other nation a conduct grounded on such principles, and productive of such effects. That I must leave to those who can see further into your affairs than I am able to do, and who best know how far your actions are favourable to their designs. The gentlemen of the Revolution Society, who were so early in their congratulations, appear to be strongly of opinion that there is some scheme of politics relative to this country, in which your proceedings may in some way be useful. For your Dr. Price, who seems to have

speculated himself into no small degree of fervour upon this subject, addresses his auditors in the following very remarkable words : ' I cannot conclude without recalling *particularly* to your recollection a consideration which I have *more than once alluded to*, and which probably your thoughts have *been all along anticipating* ; a consideration with which my *mind is impressed more than I can express*. I mean the consideration of the *favourableness of the present times to all exertions in the cause of liberty*.'

It is plain that the mind of this *political* preacher was at the time big with some extraordinary design ; and it is very probable that the thoughts of his audience, who understood him better than I do, did all along run before him in his reflection, and in the whole train of consequences to which it led.

Before I read that sermon, I really thought I had lived in a free country ; and it was an error I cherished, because it gave me a greater liking to the country I lived in. I was indeed aware, that a jealous, ever-waking vigilance, to guard the treasure of our liberty, not only from invasion, but from decay and corruption, was our best wisdom and our first duty. However, I considered that treasure rather as a possession to be secured, than as a prize to be contended for. I did not discern how the present time came to be so very favourable to all *exertions* in the cause of freedom. The present time differs from any other only by the circumstance of what is doing in France. If the example of that nation is to have an influence on this, I can easily conceive why some of their proceedings which have an unpleasant aspect, and are not quite reconcilable to humanity, generosity, good faith, and justice, are palliated with so much milky good-nature towards the actors, and borne with so much heroic fortitude towards the sufferers. It is certainly not prudent to discredit the authority of an example we mean to follow. But allowing this, we are led to a very natural question ;—What is that cause of liberty, and what are those exertions in its favour, to which the

example of France is so singularly auspicious? Is our monarchy to be annihilated, with all the laws, all the tribunals, and all the ancient corporations of the kingdom? Is every land-mark of the country to be done away in favour of a geometrical and arithmetical constitution? Is the House of Lords to be voted useless? Is episcopacy to be abolished? Are the church lands to be sold to Jews and jobbers; or given to bribe new-invented municipal republics into a participation in sacrilege? Are all the taxes to be voted grievances, and the revenue reduced to a patriotic contribution, or patriotic presents? Are silver shoe buckles to be substituted in the place of the land-tax and the malt-tax, for the support of the naval strength of this kingdom? Are all orders, ranks, and distinctions to be confounded, that out of universal anarchy, joined to national bankruptcy, three or four thousand democracies should be formed into eighty-three, and that they may all, by some sort of unknown attractive power, be organized into one? For this great end is the army to be seduced from its discipline and its fidelity, first by every kind of debauchery, and then by the terrible precedent of a donative in the increase of pay? Are the curates to be seduced from their bishops, by holding out to them the delusive hope of a dole out of the spoils of their own order? Are the citizens of London to be drawn from their allegiance by feeding them at the expense of their fellow-subjects? Is a compulsory paper currency to be substituted in the place of the legal coin of this kingdom? Is what remains of the plundered stock of public revenue to be employed in the wild project of maintaining two armies to watch over and to fight with each other? If these are the ends and means of the Revolution Society, I admit they are well assorted; and France may furnish them for both with precedents in point.

I see that your example is held out to shame us. I know that we are supposed a dull, sluggish race, rendered passive by finding our situation tolerable, and prevented by a mediocrity of freedom from ever attaining to its

full perfection. Your leaders in France began by affecting to admire, almost to adore, the British constitution ; but, as they advanced, they came to look upon it with a sovereign contempt. The friends of your National Assembly amongst us have full as mean an opinion of what was formerly thought the glory of their country. The Revolution Society has discovered that the English nation is not free. They are convinced that the inequality in our representation is a ‘defect in our constitution so gross and palpable, as to make it excellent chiefly in *form* and *theory*.’* That a representation in the legislature of a kingdom is not only the basis of all constitutional liberty in it, but of ‘*all legitimate government* ; that without it a *government* is nothing but an *usurpation*’ ;—that ‘when the representation is *partial*, the kingdom possesses liberty only *partially* ; and if extremely partial, it gives only a *semblance* ; and if not only extremely partial, but corruptly chosen, it becomes a *nuisance*.’ Dr. Price considers this inadequacy of representation as our *fundamental grievance* ; and though, as to the corruption of this semblance of representation, he hopes it is not yet arrived to its full perfection of depravity, he fears that ‘nothing will be done towards gaining for us this *essential blessing*, until some *great abuse of power* again provokes our resentment, or some *great calamity* again alarms our fears, or perhaps till the acquisition of a *pure and equal representation* by other countries, whilst we are mocked with the *shadow*, kindles our shame.’ To this he subjoins a note in these words. ‘A representation chosen chiefly by the treasury, and a few thousands of the dregs of the people, who are generally paid for their votes.’

You will smile here at the consistency of those democrats, who, when they are not on their guard, treat the humbler part of the community with the greatest contempt, whilst, at the same time, they pretend to make them the depositories of all power. It would require a long discourse to point out to you the many fallacies that lurk in the generality and equivocal nature

* ‘Discourse on the Love of our Country,’ 3rd edit. p. 39.

of the terms 'inadequate representation.' I shall only say here, in justice to that old-fashioned constitution, under which we have long prospered, that our representation has been found perfectly adequate to all the purposes for which a representation of the people can be desired or devised. I defy the enemies of our constitution to show the contrary. To detail the particulars in which it is found so well to promote its ends, would demand a treatise on our practical constitution. I state here the doctrine of the revolutionists, only that you and others may see, what an opinion these gentlemen entertain of the constitution of their country, and why they seem to think that some great abuse of power, or some great calamity, as giving a chance for the blessing of a constitution according to their ideas, would be much palliated to their feelings; you see *why they* are so much enamoured of your fair and equal representation, which being once obtained the same effects might follow. You see they consider our House of Commons as only 'a semblance,' 'a form,' 'a theory,' 'a shadow,' 'a mockery,' perhaps 'a nuisance.'

These gentlemen value themselves on being systematic; and not without reason. They must therefore look on this gross and palpable defect of representation, this fundamental grievance (so they call it) as a thing not only vicious in itself, but as rendering our whole government absolutely *illegitimate*, and not at all better than a downright *usurpation*. Another revolution, to get rid of this illegitimate and usurped government, would of course be perfectly justifiable, if not absolutely necessary. Indeed their principle, if you observe it with any attention, goes much further than to an alteration in the election of the House of Commons; for, if popular representation, or choice, is necessary to the *legitimacy* of all government, the House of Lords is, at one stroke, bastardized and corrupted in blood. That House is no representative of the people at all, even in 'semblance or in form.' The case of the crown is altogether as bad. In vain the crown may endeavour to screen itself against

these gentlemen by the authority of the establishment made on the Revolution. The Revolution which is resorted to for a title, on their system, wants a title itself. The Revolution is built, according to their theory, upon a basis not more solid than our present formalities, as it was made by a House of Lords, not representing anyone but themselves; and by a House of Commons exactly such as the present, that is, as they term it, by a mere 'shadow and mockery of representation.'

Something they must destroy, or they seem to themselves to exist for no purpose. One set is for destroying the civil power through the ecclesiastical; another for demolishing the ecclesiastic through the civil. They are aware that the worst consequences might happen to the public in accomplishing this double ruin of church and state; but they are so heated with their theories, that they give more than hints, that this ruin, with all the mischiefs that must lead to it and attend it, and which to themselves appear quite certain, would not be unacceptable to them, or very remote from their wishes. A man amongst them of great authority, and certainly of great talents, speaking of a supposed alliance between church and state, says, '*perhaps we must wait for the fall of the civil powers* before this most unnatural alliance be broken. Calamitous no doubt will that time be. But what convulsion in the political world ought to be a subject of lamentation, if it be attended with so desirable an effect?' You see with what a steady eye these gentlemen are prepared to view the greatest calamities which can befall their country.

It is no wonder therefore, that with these ideas of everything in their constitution and government at home, either in church or state, as illegitimate and usurped, or, at best as a vain mockery, they look abroad with an eager and passionate enthusiasm. Whilst they are possessed by these notions, it is vain to talk to them of the practice of their ancestors, the fundamental laws of their country, the fixed form of a constitution, whose merits are confirmed by the solid test of long experience,

and an increasing public strength and national prosperity. They despise experience as the wisdom of unlettered men; and as for the rest, they have wrought under ground a mine that will blow up, at one grand explosion, all examples of antiquity, all precedents, charters, and acts of parliament. They have 'the rights of men.' Against these there can be no prescription; against these no argument is binding: these admit no temperment, and no compromise: anything withheld from their full demand is so much of fraud and injustice. Against these their rights of men let no government look for security in the length of its continuance, or in the justice and lenity of its administration. The objections of these speculatists, if its forms do not quadrate with their theories, are as valid against such an old and beneficent government, as against the most violent tyranny, or the greenest usurpation. They are always at issue with governments, not on a question of abuse, but a question of competency, and a question of title. I have nothing to say to the clumsy subtlety of their political metaphysics. Let them be their amusement in the schools.—' *Illa se jactet in aula—Æolus, et clauso ventorum carcere regnet.*'—But let them not break prison to burst like a *Levanter*, to sweep the earth with their hurricane, and to break up the fountains of the great deep to overwhelm us.

Far am I from denying in theory, as full as far is my heart from withholding in practice (if I were of power to give or to withhold) the *real* rights of men. In denying their false claims of right, I do not mean to injure those which are real, and are such as their pretended rights would totally destroy. If civil society be made for the advantage of man, all the advantages for which it is made become his right. It is an institution of beneficence; and law itself is only beneficence; acting by a rule. Men have a right to live by that rule; they have a right to do justice; as between their fellows, whether their fellows are in politic function or in ordinary occupation. They have a right to the fruits of their industry;

and to the means of making their industry fruitful. They have a right to the acquisitions of their parents ; to the nourishment and improvement of their offspring ; to instruction in life, and to consolation in death. Whatever each man can separately do, without trespassing upon others, he has a right to do for himself ; and he has a right to a fair portion of all which society, with all its combinations of skill and force, can do in his favour. In this partnership all men have equal rights ; but not to equal things. He that has but five shillings in the partnership, has as good a right to it as he that has five hundred pounds has to his larger proportion. But he has not a right to an equal dividend in the product of the joint stock ; and as to the share of power, authority, and direction which each individual ought to have in the management of the state, that I must deny to be amongst the direct original rights of man in civil society ; for I have in my contemplation the civil social man, and no other. It is a thing to be settled by convention.

If civil society be the offspring of convention, that convention must be its law. That convention must limit and modify all the descriptions of constitution which are formed under it. Every sort of legislature, judicial, or executory power, are its creatures. They can have no being in any other state of things ; and how can any man claim, under the conventions of civil society, rights which do not so much as suppose its existence ?—rights which are absolutely repugnant to it ? One of the first motives to civil society, and which becomes one of its fundamental rules, is, *that no man should be judge in his own cause*. By this each person has at once divested himself of the first fundamental right of uncovenanted man, that is, to judge for himself and to assert his own cause. He abdicates all right to be his own governor. He inclusively, in a great measure abandons the right of self-defence, the first law of nature. Men cannot enjoy the rights of an uncivil and of a civil state together. That he may obtain justice, he gives up his right of determining what it is in points the most

essential to him. That he may secure some liberty, he makes a surrender in trust of the whole of it.

Government is not made in virtue of natural rights, which may and do exist in total independence of it ; and exist in much greater clearness, and in a much greater degree of abstract perfection ; but their abstract perfection is their practical defect. By having a right to everything, they want everything. Government is a contrivance of human wisdom to provide for human *wants*. Men have a right that these wants should be provided for by this wisdom. Among these wants is to be reckoned the want, out of civil society, of a sufficient restraint upon their passions. Society requires not only that the passions of individuals should be subjected, but that even in the mass and body, as well as in the individuals, the inclinations of men should frequently be thwarted, their will controlled, and their passions brought into subjection. This can only be done *by a power out of themselves* ; and not, in the exercise of its function, subject to that will and to those passions which it is its office to bridle and subdue. In this sense the restraints on men, as well as their liberties, are to be reckoned among their rights. But as the liberties and the restrictions vary with times and circumstances, and admit of infinite modifications, they cannot be settled upon any abstract rule ; and nothing is so foolish as to discuss them upon that principle.

The moment you abate anything from the full rights of men, each to govern himself, and suffer any artificial, positive limitation upon those rights, from that moment the whole organization of government becomes a consideration of convenience. This it is which makes the constitution of a state, and the due distribution of its powers, a matter of the most delicate and complicated skill. It requires a deep knowledge of human nature and human necessities, and of the things which facilitate or obstruct the various ends, which are to be pursued by the mechanism of civil institutions. The state is to have recruits to its strength, and remedies to its dis-

tempers. What is the use of discussing a man's abstract right to food or medicine? The question is upon the method of procuring and administering them. In that deliberation I shall always advise to call in the aid of the farmer and the physician, rather than the professor of metaphysics.

The science of constructing a commonwealth, or renovating it, or reforming it, is, like every other experimental science, not to be taught *à priori*. Nor is it a short experience that can instruct us in that practical science; because the real effects of moral causes are not always immediate; but that which in the first instance is prejudicial may be excellent in its remoter operation; and its excellence may arise even from the ill effects it produces in the beginning. The reverse also happens; and very plausible schemes, with very pleasing commencements, have often shameful and lamentable conclusions. In states there are often some obscure and almost latent causes, things which appear at first view of little moment, on which a very great part of its prosperity or adversity may most essentially depend. The science of government being therefore so practical in itself, and intended for such practical purposes, a matter which requires experience, and even more experience than any person can gain in his whole life, however sagacious and observing he may be, it is with infinite caution that any man ought to venture upon pulling down an edifice, which has answered in any tolerable degree for ages the common purposes of society, or on building it up again, without having models and patterns of approved utility before his eyes.

These metaphysic rights entering into common life, like rays of light which pierce into a dense medium, are, by the laws of nature, refracted from their straight line. Indeed, in the gross and complicated mass of human passions and concerns, the primitive rights of men undergo such a variety of refractions and reflections, that it becomes absurd to talk of them as if they continued in the simplicity of their original direction. The nature of

man is intricate ; the objects of society are of the greatest possible complexity : and therefore no simple disposition or direction of power can be suitable either to man's nature, or to the quality of his affairs. When I hear the simplicity of contrivance aimed at and boasted of in any new political constitutions, I am at no loss to decide that the artificers are grossly ignorant of their trade, or totally negligent of their duty. The simple governments are fundamentally defective, to say no worse of them. If you were to contemplate society in but one point of view, all these simple modes of polity are infinitely captivating. In effect each would answer its single end much more perfectly than the more complex is able to attain all its complex purposes. But it is better that the whole should be imperfectly and anomalously answered, than that, while some parts are provided for with great exactness, others might be totally neglected, or perhaps materially injured, by the over-care of a favourite member.

The pretended rights of these theorists are all extremes : and in proportion as they are metaphysically true, they are morally and politically false. The rights of men are in a sort of *middle*, incapable of definition, but not impossible to be discerned. The rights of men in governments are their advantages ; and these are often in balances between differences of good ; in compromises between good and evil, and sometimes between evil and evil. Political reason is a computing principle ; adding, subtracting, multiplying, and dividing, morally, and not metaphysically or mathematically, true moral denominations.

By these theorists the right of the people is almost always sophistically confounded with their power. The body of the community, whenever it can come to act, can meet with no effectual resistance ; but till power and right are the same, the whole body of them has no right inconsistent with virtue, and the first of all virtues, prudence. Men have no right to what is not reasonable, and to what is not for their benefit ; for though a pleasant writer said, *Liceat perire poetis*, when

one of them, in cold blood, is said to have leaped into the flames of a volcanic revolution, *Ardentem frigidus Etnam insiluit*, I consider such a frolic rather as an unjustifiable poetic licence, than as one of the franchises of Parnassus ; and, whether he were poet, or divine, or politician, that chose to exercise this kind of right, I think that more wise, because more charitable thoughts would urge me rather to save the man, than to preserve his brazen slippers as the monuments of his folly.

The kind of anniversary sermons to which a great part of what I write refers, if men are not shamed out of their present course, in commemorating the fact, will cheat many out of the principles, and deprive them of the benefits of the Revolution they commemorate. I confess to you, sir, I never liked this continual talk of resistance, and revolution, or the practice of making the extreme medicine of the constitution its daily bread. It renders the habit of society dangerously valetudinary ; it is taking periodical doses of mercury sublimate, and swallowing down repeated provocatives of cantharides to our love of liberty.

This distemper of remedy, grown habitual, relaxes and wears out, by a vulgar and prostituted use, the spring of that spirit which is to be exerted on great occasions. It was in the most patient period of Roman servitude that themes of tyrannicide made the ordinary exercise of boys at school—*cum perimit sævos classis numerosa tyrannos*. In the ordinary state of things, it produces in a country like ours the worst effects, even on the cause of that liberty which it abuses with the dissoluteness of an extravagant speculation. Almost all the high-bred republicans of my time have, after a short space, become the most decided, thorough-paced courtiers ; they soon left the business of a tedious, moderate, but practical resistance, to those of us whom, in the pride and intoxication of their theories, they have slighted as not much better than Tories. Hypocrisy, of course, delights in the most sublime speculations ; for, never intending to go beyond speculation, it costs nothing to have it

magnificent. But even in cases where rather levity than fraud was to be suspected in these ranting speculations, the issue has been much the same. These professors, finding their extreme principles not applicable to cases which call only for a qualified, or, as I may say, civil, and legal resistance, in such cases employ no resistance at all. It is with them a war or a revolution, or it is nothing. Finding their schemes of politics not adapted to the state of the world in which they live, they often come to think lightly of all public principle; and are ready, on their part, to abandon for a very trivial interest what they find of very trivial value. Some, indeed, are of more steady and persevering natures; but these are eager politicians out of parliament, who have little to tempt them to abandon their favourite projects. They have some change in the church or state, or both, constantly in their view. When that is the case, they are always bad citizens, and perfectly unsure connexions. For, considering their speculative designs as of infinite value, and the actual arrangement of the state as of no estimation, they are, at best, indifferent about it. They see no merit in the good, and no fault in the vicious management of public affairs; they rather rejoice in the latter, as more propitious to revolution. They see no merit or demerit in any man, or any action, or any political principle, any further than as they may forward or retard their design of change; they therefore take up, one day, the most violent and stretched prerogative, and another time the wildest democratic ideas of freedom, and pass from the one to the other without any sort of regard to cause, to person, or to party.

In France you are now in the crisis of a revolution, and in the transit from one form of government to another—you cannot see that character of men exactly in the same situation in which we see it in this country. With us it is militant; with you it is triumphant; and you know how it can act when its power is commensurate to its will. I would not be supposed to confine

those observations to any description of men, or to comprehend all men of any description within them—No! far from it. I am as incapable of that injustice, as I am of keeping terms with those who profess principles of extremes; and who, under the name of religion, teach little else than wild and dangerous politics. The worst of these politics of revolution is this: they temper and harden the breast, in order to prepare it for the desperate strokes which are sometimes used in extreme occasions. But as these occasions may never arrive, the mind receives a gratuitous taint; and the moral sentiments suffer not a little, when no political purpose is served by the depravation. This sort of people are so taken up with their theories about the rights of man, that they have totally forgotten his nature. Without opening one new avenue to the understanding, they have succeeded in stopping up those that lead to the heart. They have perverted in themselves, and in those that attend to them, all the well-placed sympathies of the human breast.

This famous sermon of the Old Jewry breathes nothing but this spirit through all the political part. Plots, massacres, assassinations, seem to some people a trivial price for obtaining a revolution. A cheap, bloodless reformation, a guiltless liberty, appear flat and vapid to their taste. There must be a great change of scene; there must be a magnificent stage effect; there must be a grand spectacle to rouse the imagination, grown torpid with the lazy enjoyment of sixty years' security, and the still unanimating repose of public prosperity. The preacher found them all in the French Revolution. This inspires a juvenile warmth through his whole frame. His enthusiasm kindles as he advances; and when he arrives at his peroration it is in a full blaze. Then viewing, from the Pishah of his pulpit, the free, moral, happy, flourishing, and glorious state of France, as in a bird-eye landscape of a promised land, he breaks out into the following rapture:

'What an eventful period is this! I am *thankful* that

I have lived to it ; I could almost say, *Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation.* I have lived to see a *diffusion* of knowledge, which has undermined superstition and error.—I have lived to see *the rights of men* better understood than ever ; and nations panting for liberty which seemed to have lost the idea of it.—I have lived to see *thirty millions of people*, indignant and resolute, spurning at slavery, and demanding liberty with an irresistible voice. *Their king led in triumph, and an arbitrary monarch surrendering himself to his subjects.** *

Before I proceed further, I have to remark, that Dr. Price seems rather to overvalue the great acquisitions of light which he has obtained and diffused in this age. The last century appears to me to have been quite as much enlightened. It had, though in a different place, a triumph as memorable as that of Dr. Price ; and some of the great preachers of that period partook of it as eagerly as he has done in the triumph of France. On the trial of the Rev. Hugh Peters for high treason, it was deposed, that when King Charles was brought to London for his trial, the Apostle of Liberty in that day conducted the *triumph*. ‘I saw,’ says the witness, ‘his majesty in the coach with six horses, and Peters riding before the king *triumphing*.’ Dr. Price, when he talks as if he had made a discovery, only follows a precedent : for, after the commencement of the king’s trial, this precursor, the same Dr. Peters, concluding a long prayer at the royal chapel at Whitehall (he had very triumphantly chosen his place), said, ‘I have prayed and preached these twenty years ; and now I may say with old Simeon, *Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation.*’† Peters

* Another of these reverend gentlemen, who was witness to some of the spectacles which Paris has lately exhibited, expresses himself thus :—‘*A king dragged in submissive triumph by his conquering subjects* is one of those appearances of grandeur which seldom rise in the prospect of human affairs, and which, during the remainder of my life, I shall think of with wonder and gratification.’ These gentlemen agree marvellously in their feelings.

† State Trials, vol. ii. pp. 360, 363.

had not the fruits of his prayer ; for he neither departed so soon as he wished, nor in peace. He became (what I heartily hope none of his followers may be in this country) himself a sacrifice to the triumph which he led as pontiff. They dealt at the Restoration, perhaps, too hardly with this poor good man. But we owe it to his memory, and his sufferings, that he had as much illumination, and as much zeal, and had as effectually undermined all *the superstition and error* which might impede the great business he was engaged in, as any who follow and repeat after him in this age, which would assume to itself an exclusive title to the knowledge of the rights of men, and all the glorious consequences of that knowledge.

After this sally of the preacher of the Old Jewry, which differs only in place and time, but agrees perfectly with the spirit and letter of the rapture of 1648, the Revolution Society, the fabricators of governments, the heroic band of *cashierers* of *monarchs*, electors of sovereigns, and leaders of kings in triumph, strutting with a proud consciousness of the diffusion of knowledge, of which every member had obtained so large a share in the donative, were in haste to make a generous diffusion of the knowledge they had thus gratuitously received. To make this bountiful communication, they adjourned from the church in the Old Jewry, to the London Tavern ; where the same Dr. Price, in whom the fumes of his oracular tripod were not entirely evaporated, moved and carried the resolution, or address of congratulation, transmitted by Lord Stanhope to the National Assembly of France.

I find a preacher of the gospel profaning the beautiful and prophetic ejaculation, commonly called '*nunc dimittis*,' made on the first presentation of our Saviour in the temple, and applying it, with an inhuman and unnatural rapture, to the most horrid, atrocious, and afflicting spectacle that perhaps ever was exhibited to the pity and indignation of mankind. This '*leading in triumph*,' a thing in its best form unmanly and irre-

ligious, which fills our preacher with such unhallowed transports, must shock, I believe, the moral taste of every well-born mind. Several English were the stupefied and indignant spectators of that triumph. It was (unless we have been strangely deceived) a spectacle more resembling a procession of American savages, entering into Onondago, after some of their murders called victories, and leading into hovels hung round with scalps, their captives, overpowered with the scoffs and buffets of women as ferocious as themselves, much more than it resembled the triumphal pomp of a civilized, martial nation;—if a civilized nation, or any men who had a sense of generosity, were capable of a personal triumph over the fallen and afflicted.

This, my dear sir, was not the triumph of France. I must believe that, as a nation, it overwhelmed you with shame and horror. I must believe that the National Assembly find themselves in a state of the greatest humiliation in not being able to punish the authors of this triumph, or the actors in it; and that they are in a situation in which any inquiry they may make upon the subject must be destitute even of the appearance of liberty or impartiality. The apology of that assembly is found in their situation; but when we approve what they *must* bear, it is in us the degenerate choice of a vitiated mind.

With a compelled appearance of deliberation, they vote under the dominion of a stern necessity. They sit in the heart, as it were, of a foreign republic: they have their residence in a city whose constitution has emanated neither from the charter of their king, nor from their legislative power. There they are surrounded by an army not raised either by the authority of their crown, or by their command; and which, if they should order to dissolve itself, would instantly dissolve them. There they sit, after a gang of assassins had driven away some hundreds of the members; whilst those who held the same moderate principles, with more patience or better hope, continued every

day exposed to outrageous insults and murderous threats. There a majority, sometimes real, sometimes pretended, captive itself, compels a captive king to issue as royal edicts, at third hand, the polluted nonsense of their most licentious and giddy coffee-houses. It is notorious that all their measures are decided before they are debated. It is beyond doubt that under the terror of the bayonet, and the lamp-post, and the torch to their houses, they are obliged to adopt all the crude and desperate measures suggested by clubs composed of a monstrous medley of all conditions, tongues, and nations. Among these are found persons, in comparison of whom Catiline would be thought scrupulous, and Cethegus a man of sobriety and moderation. Nor is it in these clubs alone that the public measures are deformed into monsters. They undergo a previous distortion in academies, intended as so many seminaries for these clubs, which are set up in all the places of public resort. In these meetings of all sorts, every counsel, in proportion as it is daring, and violent, and perfidious, is taken for the mark of superior genius. Humanity and compassion are ridiculed as the fruits of superstition and ignorance. Tenderness to individuals is considered as treason to the public. Liberty is always to be estimated perfect as property is rendered insecure. Amidst assassination, massacre, and confiscation, perpetrated or meditated, they are forming plans for the good order of future society. Embracing in their arms the carcasses of base criminals, and promoting their relations on the title of their offences, they drive hundreds of virtuous persons to the same end, by forcing them to subsist by beggary or by crime.

The assembly, their organ, acts before them the farce of deliberation with as little decency as liberty. They act like the comedians of a fair, before a riotous audience; they act amidst the tumultuous cries of a mixed mob of ferocious men, and of women lost to shame, who, according to their insolent fancies, direct, control, applaud, explode them; and sometimes mix and take

their seats amongst them; domineering over them with a strange mixture of servile petulance and proud presumptuous authority. As they have inverted order in all things, the gallery is in the place of the house. This assembly, which overthrows kings and kingdoms, has not even the physiognomy and aspect of a grave legislative body—*nec color imperii, nec frons erat ulla senatus*. They have a power given to them, like that of the evil principle, to subvert and destroy; but none to construct, except such machines as may be fitted for further subversion and further destruction.

Who is it that admires, and from the heart is attached to national representative assemblies, but must turn with horror and disgust from such a profane burlesque, and abominable perversion of that sacred institute? Lovers of monarchy, lovers of republics, must alike abhor it. The members of your assembly must themselves groan under the tyranny of which they have all the shame, none of the direction, and little of the profit. I am sure many of the members who compose even the majority of that body must feel as I do, notwithstanding the applauses of the Revolution Society. Miserable king! miserable assembly! How must that assembly be silently scandalized with those of their members, who could call a day which seemed to blot the sun out of heaven, '*un beau jour!*'* How must they be inwardly indignant at hearing others, who thought fit to declare to them, 'that the vessel of the state would fly forward in her course towards regeneration with more speed than ever,' from the stiff gale of treason and murder, which preceded our preacher's triumph! What must they have felt, whilst, with outward patience and inward indignation, they heard of the slaughter of innocent gentlemen in their houses, that 'the blood spilled was not the most pure'? What must they have felt, when they were besieged by complaints of disorders which shook their country to its foundations,

* 6th of October, 1789.

at being compelled coolly to tell the complainants, that they were under the protection of the law, and that they would address the king (the captive king) to cause the laws to be enforced for their protection ; when the enslaved ministers of that captive king had formally notified to them, that there were neither law, nor authority, nor power left to protect ? What must they have felt at being obliged, as a felicitation on the present new year, to request their captive king to forget the stormy period of the last, on account of the great good which *he* was likely to produce to his people ; to the complete attainment of which good they adjourned the practical demonstrations of their loyalty, assuring him of their obedience, when he should no longer possess any authority to command.

This address was made with much good-nature and affection, to be sure. But among the revolutions in France must be reckoned a considerable revolution in their ideas of politeness. In England we are said to learn manners at second-hand from your side of the water, and that we dress our behaviour in the frippery of France. If so, we are still in the old cut ; and have not so far conformed to the new Parisian mode of good-breeding, as to think it quite in the most refined strain of delicate compliment (whether in condolence or congratulation) to say, to the most humiliated creature that crawls upon the earth, that great public benefits are derived from the murder of his servants, the attempted assassination of himself and of his wife, and the mortification, disgrace, and degradation, that he has personally suffered. It is a topic of consolation which our ordinary of Newgate would be too humane to use to a criminal at the foot of the gallows. I should have thought that the hangman of Paris, now that he is liberalized by the vote of the National Assembly, and is allowed his rank and arms in the herald's college of the rights of men, would be too generous, too gallant a man, too full of the sense of his new dignity, to employ that cutting consolation to any of the persons whom

the *lèse nation* might bring under the administration of his *executive power*.

A man is fallen indeed, when he is thus flattered. The anodyne draught of oblivion, thus drugged, is well calculated to preserve a galling wakefulness, and to feed the living ulcer of a corroding memory. Thus to administer the opiate potion of amnesty, powdered with all the ingredients of scorn and contempt, is to hold to his lips, instead of 'the balm of hurt minds,' the cup of human misery full to the brim, and to force him to drink it to the dregs.

Yielding to reasons, at least as forcible as those which were so delicately urged in the compliment on the new year, the King of France will probably endeavour to forget these events and that compliment. But history, who keeps a durable record of all our acts, and exercises her awful censure over the proceedings of all sorts of sovereigns, will not forget either those events, or the era of this liberal refinement in the intercourse of mankind. History will record, that on the morning of the 6th of October, 1789, the King and Queen of France, after a day of confusion, alarm, dismay, and slaughter, lay down, under the pledged security of public faith, to indulge nature in a few hours of respite, and troubled, melancholy repose. From this sleep the queen was first startled by the voice of the sentinel at her door, who cried out to her to save herself by flight—that this was the last proof of fidelity he could give—that they were upon him, and he was dead. Instantly he was cut down. A band of cruel ruffians and assassins, reeking with his blood, rushed into the chamber of the queen, and pierced with a hundred strokes of bayonets and poniards the bed, from whence this persecuted woman had but just time to fly almost naked, and, through ways unknown to the murderers, had escaped to seek refuge at the feet of a king and husband, not secure of his own life for a moment.

This king, to say no more of him, and this queen, and their infant children, (who once would have been the

pride and hope of a great and generous people,) were then forced to abandon the sanctuary of the most splendid palace in the world, which they left swimming in blood, polluted by massacre, and strewed with scattered limbs and mutilated carcases. Thence they were conducted into the capital of their kingdom. Two had been selected from the unprovoked, unresisted, promiscuous slaughter, which was made of the gentlemen of birth and family who composed the king's body-guard. These two gentlemen, with all the parade of an execution of justice, were cruelly and publicly dragged to the block, and beheaded in the great court of the palace. Their heads were stuck upon spears, and led the procession; whilst the royal captives who followed in the train were slowly moved along, amidst the horrid yells, and shrilling screams, and frantic dances, and infamous contumelies, and all the unutterable abominations of the furies of hell, in the abused shapes of the vilest of women. After they had been made to taste, drop by drop, more than the bitterness of death, in the slow torture of a journey of twelve miles, protracted to six hours, they were, under a guard, composed of those very soldiers who had thus conducted them through this famous triumph, lodged in one of the old palaces of Paris, now converted into a Bastille for kings.

Is this a triumph to be consecrated at altars? to be commemorated with grateful thanksgiving? to be offered to the Divine Humanity with fervent prayer and enthusiastic ejaculation? — These Theban and Thracian orgies, acted in France, and applauded only in the Old Jewry, I assure you, kindle prophetic enthusiasm in the minds but of very few people in this kingdom; although a saint and apostle, who may have revelations of his own, and who has so completely vanquished all the mean superstitions of the heart, may incline to think it pious and decorous to compare it with the entrance into the world of the Prince of Peace, proclaimed in a holy temple by a venerable sage,

and not long before not worse announced by the voice of angels to quiet the innocence of shepherds.

At first I was at a loss to account for this fit of unguarded transport. I knew, indeed, that the sufferings of monarchs make a delicious repast to some sort of palates. There were reflections which might serve to keep this appetite within some bounds of temperance. But when I took one circumstance into my consideration, I was obliged to confess, that much allowance ought to be made for the society, and that the temptation was too strong for common discretion ; I mean, the circumstance of the Io Pæan of the triumph, the animating cry which called ‘for *all* the BISHOPS to be hanged on the lamp-posts,’* might well have brought forth a burst of enthusiasm on the foreseen consequences of this happy day. I allow to so much enthusiasm some little deviation from prudence. I allow this prophet to break forth into hymns of joy and thanksgiving on an event which appears like the precursor of the Millennium, and the projected fifth monarchy, in the destruction of all Church establishments. There was, however, (as in all human affairs there is,) in the midst of this joy, something to exercise the patience of these worthy gentlemen, and to try the long-suffering of their faith. The actual murder of the king and queen, and their child, was wanting to the other auspicious circumstances of this ‘*beautiful day*.’ The actual murder of the bishops, though called for by so many holy ejaculations, was also wanting. A group of regicide and sacrilegious slaughter, was indeed boldly sketched, but it was only sketched. It unhappily was left unfinished, in this great history-piece of the massacre of innocents. What hardy pencil of a great master, from this school of the rights of men, will finish it, is to be seen hereafter. The age has not yet the complete benefit of that diffusion of knowledge that has undermined superstition and error ; and the King of France wants another object or two, to consign to

* Tous les Évêques à la lanterne.

oblivion, in consideration of all the good which is to arise from his own sufferings, and the patriotic crimes of an enlightened age.*

Although this work of our new light and knowledge

* It is proper here to refer to a letter written upon this subject by an eye-witness. That eye-witness was one of the most honest, intelligent, and eloquent members of the National Assembly, one of the most active and zealous reformers of the state. He was obliged to secede from the assembly; and he afterwards became a voluntary exile, on account of the horrors of this pious triumph, and the dispositions of men, who, profiting of crimes, if not causing them, have taken the lead in public affairs.

Extract of M. de Lally Tollendal's Second Letter to a Friend.

‘Parlons du parti que j’ai pris; il est bien justifié dans ma conscience.—Ni cette ville coupable, ni cette assemblée plus coupable encore, ne méritoient que me justifie; mais j’ai à cœur que vous, et les personnes qui pensent comme vous, ne me condamnent pas.—Ma santé, je vous jure, me rendoit mes fonctions impossibles; mais même en les mettant de côté il a été au-dessus de mes forces de supporter plus longtems l’horreur que me causoit ce sang,—ces têtes—cette reine *presque égorgee*, ce roi—amené *esclave*,—entrant à Paris, au milieu de ses assassins, et précédé de têtes de ses malheureux gardes—ces perfides janissaires, ces assassins, ces femmes cannibales, ce cri de TOUS LES ÉVÊQUES À LA LANTERNE, dans le moment où le roi entre sa capitale avec deux évêques de son conseil dans sa voiture—un *coup de fusil*, que j’ai vu tirer dans un *des carosses de la reine*—M. Bailly appelant cela *un beau jour*—l’assemblée ayant déclaré froidement le matin, qu’il n’étoit pas de sa dignité d’aller toute entière environner le roi—M. Mirabeau disant impunément dans cette assemblée que le vaisseau de l’état, loin d’être arrêté dans sa course, s’élanceroit avec plus de rapidité que jamais vers sa régénération—M. Barnave, riant avec lui, quand des flots de sang couloient autour de nous—le vertueux Mounier * échappant par miracle à vingt assassins, qui avoient voulu faire de sa tête un trophée de plus: Voilà ce qui me fit jurer de ne plus mettre le pied *dans cette caverne d’Antropophages* [the National Assembly] où je n’avois plus de force d’élever la voix, où depuis six semaines je l’avois élevée en vain.

‘Moi, Mounier, et tous les honnêtes gens, ont pensé que le dernier effort à faire pour le bien étoit d’en sortir. Aucune idée de crainte ne s’est approchée de moi. Je rougirois de m’en défendre. J’avois encore reçu sur la route de la part de ce peuple, moins coupable que ceux qui l’ont enivré de fureur, des acclamations, et des applaudissements, dont d’autres auroient été flattés, et qui m’ont fait frémir. C’est à l’indignation, c’est à l’horreur, c’est aux convulsions physiques, que le seul aspect du sang me fait éprouver que j’ai cédé. On brave une seule mort; on la brave plusieurs fois, quand elle peut être utile.

* N.B.—M. Mounier was then speaker of the National Assembly. He has since been obliged to live in exile, though one of the firmest assertors of liberty.

did not go to the length that in all probability it was intended it should be carried, yet I must think that such treatment of any human creatures must be shocking to any but those who are made for accomplishing revolutions. But I cannot stop here. Influenced by the inborn feelings of my nature, and not being illuminated by a single ray of this new-sprung modern light, I confess to you, sir, that the exalted rank of the persons suffering, and particularly the sex, the beauty, and the amiable qualities of the descendant of so many kings and emperors, with the tender age of royal infants, insensible only through infancy and innocence of the cruel outrages to which their parents were exposed, instead of being a subject of exultation, adds not a little to my sensibility on that most melancholy occasion.

I hear that the august person, who was the principal object of our preacher's triumph, though he supported himself, felt much on that shameful occasion. As a man, it became him to feel for his wife and his children, and the faithful guards of his person, that were massacred in cold blood about him; as a prince it became him to feel for the strange and frightful transformation of his civilized subjects, and to be more grieved for them, than solicitous for himself. It derogates little from his fortitude, while it adds infinitely to the honour of his humanity. I am very sorry to say it, very sorry indeed, that such personages are in a situation in which it is not becoming in us to praise the virtues of the great.

I hear, and I rejoice to hear, that the great lady, the other object of the triumph, has borne that day (one

Mais aucune puissance sous le ciel, mais aucune opinion publique ou privée n'ont le droit de me condamner à souffrir inutilement mille supplices par minute, et à périr de désespoir, de rage, au milieu des *triumphes*, du crime que je n'ai pu arrêter. Ils me proscrireont, ils confisqueront mes biens. Je labourerai la terre, et je ne les verrai plus. Voilà ma justification. Vous pourrez la lire, la montrer, la laisser copier; tant pis pour ceux qui ne la comprendront pas; ce ne sera alors moi qui auroit eu tort de leur donner.'

This military man had not so good nerves as the peaceable gentlemen of the Old Jewry.—See Mons. Mounier's narrative of these transactions; a man also of honour and virtue, and talents, and therefore a fugitive.

is interested that beings made for suffering should suffer well), and that she bears all the succeeding days, that she bears the imprisonment of her husband, and her own captivity, and the exile of her friends, and the insulting adulation of addresses, and the whole weight of her accumulated wrongs, with a serene patience, in a manner suited to her rank and race, and becoming the offspring of a sovereign distinguished for her piety and her courage; that, like her, she has lofty sentiments; that she feels with the dignity of a Roman matron; that in the last extremity she will save herself from the last disgrace; and that, if she must fall, she will fall by no ignoble hand.

It is now sixteen or seventeen years since I saw the Queen of France, then the dauphiness, at Versailles; and surely never lighted on this orb, which she hardly seemed to touch, a more delightful vision. I saw her just above the horizon, decorating and cheering the elevated sphere she just began to move in,—glittering like the morning-star, full of life, and splendour, and joy. Oh! what a revolution! and what a heart I must have, to contemplate without emotion that elevation and that fall! Little did I dream when she added titles of veneration to those of enthusiastic, distant, respectful love, that she should ever be obliged to carry the sharp antidote against disgrace concealed in that bosom; little did I dream that I should have lived to see such disasters fallen upon her in a nation of gallant men, in a nation of men of honour, and of cavaliers. I thought ten thousand swords must have leaped from their scabbards to avenge even a look that threatened her with insult. But the age of chivalry is gone. That of sophisters, economists, and calculators, has succeeded; and the glory of Europe is extinguished for ever. Never, never more, shall we behold that generous loyalty to rank and sex, that proud submission, that dignified obedience, that subordination of the heart, which kept alive, even in servitude itself, the spirit of an exalted freedom. The unbought grace of life, the

cheap defence of nations, the nurse of manly sentiment and heroic enterprise is gone! It is gone, that sensibility of principle, that chastity of honour, which felt a stain like a wound, which inspired courage whilst it mitigated ferocity, which ennobled whatever it touched, and under which vice itself lost half its evil, by losing all its grossness.

This mixed system of opinion and sentiment had its origin in the ancient chivalry; and the principle, though varied in its appearance by the varying state of human affairs, subsisted and influenced through a long succession of generations, even to the time we live in. If it should ever be totally extinguished, the loss I fear will be great. It is this which has given its character to modern Europe. It is this which has distinguished it under all its forms of government, and distinguished it to its advantage, from the states of Asia, and possibly from those states which flourished in the most brilliant periods of the antique world. It was this, which, without confounding ranks, had produced a noble equality, and handed it down through all the gradations of social life. It was this opinion which mitigated kings into companions, and raised private men to be fellows with kings. Without force or opposition, it subdued the fierceness of pride and power; it obliged sovereigns to submit to the soft collar of social esteem, compelled stern authority to submit to elegance, and gave a dominating vanquisher of laws to be subdued by manners.

But now all is to be changed. All the pleasing illusions, which made power gentle, and obedience liberal, which harmonized the different shades of life, and which, by a bland assimilation, incorporated into politics the sentiments which beautify and soften private society, are to be dissolved by this new conquering empire of light and reason. All the decent drapery of life is to be rudely torn off. All the superadded ideas, furnished from the wardrobe of a moral imagination, which the heart owns, and the understanding ratifies, as necessary to cover the defects of our naked, shivering nature, and

to raise it to dignity in our own estimation, are to be exploded as a ridiculous, absurd, and antiquated fashion.

On this scheme of things, a king is but a man, a queen is but a woman; a woman is but an animal; and an animal not of the highest order. All homage paid to the sex in general as such, and without distinct views, is to be regarded as romance and folly. Regicide, and parricide, and sacrilege, are but fictions of superstition, corrupting jurisprudence by destroying its simplicity. The murder of a king, or a queen, or a bishop, or a father, are only common homicide; and if the people are by any chance, or in any way, gainers by it, a sort of homicide much the most pardonable, and into which we ought not to make too severe a scrutiny.

On the scheme of this barbarous philosophy, which is the offspring of cold hearts and muddy understandings, and which is as void of solid wisdom, as it is destitute of all taste and elegance, laws are to be supported only by their own terrors, and by the concern, which each individual may find in them, from his own private speculations, or can spare to them from his own private interests. In the groves of *their* academy, at the end of every vista, you see nothing but the gallows. Nothing is left which engages the affections on the part of the commonwealth. On the principles of this mechanic philosophy, our institutions can never be embodied, if I may use the expression, in persons; so as to create in us love, veneration, admiration, or attachment. But that sort of reason which banishes the affections is incapable of filling their place. These public affections, combined with manners, are required sometimes as supplements, sometimes as correctives, always as aids to law. The precept given by a wise man, as well as a great critic, for the construction of poems, is equally true as to states:—*Non satis est pulchra esse poemata, dulcia sunt.* There ought to be a system of manners in every nation, which a well-formed mind would be disposed to relish. To make us love our country, our country ought to be lovely.

But power, of some kind or other, will survive the shock in which manners and opinions perish ; and it will find other and worse means for its support. The usurpation which, in order to subvert ancient institutions, has destroyed ancient principles, will hold power by arts similar to those by which it has acquired it. When the old feudal and chivalrous spirit of *fealty*, which, by freeing kings from fear, freed both kings and subjects from the precaution of tyranny, shall be extinct in the minds of men, plots and assassinations will be anticipated by preventive murder and preventive confiscation, and that long roll of grim and bloody maxims, which form the political code of all power not standing on its own honour, and the honour of those who are to obey it. Kings will be tyrants from policy, when subjects are rebels from principle.

When ancient opinions and rules of life are taken away the loss cannot possibly be estimated. From that moment we have no compass to govern us ; nor can we know distinctly to what port we steer. Europe, undoubtedly, taken in a mass, was in a flourishing condition the day on which your Revolution was completed. How much of that prosperous state was owing to the spirit of our old manners and opinions is not easy to say ; but as such cases cannot be indifferent in their operation, we must presume, that, on the whole, their operation was beneficial.

We are but too apt to consider things in the state in which we find them, without sufficiently adverting to the causes by which they have been produced, and possibly may be upheld. Nothing is more certain than that our manners, our civilization, and all the good things which are connected with manners, and with civilization, have, in this European world of ours, depended for ages upon two principles ; and were indeed the result of both combined ; I mean the spirit of a gentleman, and the spirit of religion. The nobility and the clergy, the one by profession, the other by patronage, kept learning in existence, even in the midst

of arms and confusions, and whilst governments were rather in their causes, than formed. Learning paid back what it received to nobility and to priesthood; and paid it with usury, by enlarging their ideas, and by furnishing their minds. Happy if they had all continued to know their indissoluble union, and their proper place! Happy if learning, not debauched by ambition, had been satisfied to continue the instructor, and not aspired to be the master! Along with its natural protectors and guardians, learning will be cast into the mire, and trodden down under the hoofs of a swinish multitude.*

If, as I suspect, modern letters owe more than they are always willing to own to ancient manners, so do other interests which we value full as much as they are worth. Even commerce, and trade, and manufacture, the gods of our economical politicians, are themselves perhaps but creatures; are themselves but effects, which, as first causes, we choose to worship. They certainly grew under the same shade in which learning flourished. They too may decay with their natural protecting principles. With you, for the present at least, they all threaten to disappear together. Where trade and manufactures are wanting to a people, and the spirit of nobility and religion remains, sentiment supplies, and not always ill supplies, their place; but if commerce and the arts should be lost in an experiment to try how well a state may stand without these old fundamental principles, what sort of a thing must be a nation of gross, stupid, ferocious, and, at the same time, poor and sordid barbarians, destitute of religion, honour, or manly pride, possessing nothing at present, and hoping for nothing hereafter?

I wish you may not be going fast, and by the shortest cut, to that horrible and disgusting situation. Already there appears a poverty of conception, a coarseness and vulgarity in all the proceedings of the assembly and of all their instructors. Their liberty is not liberal. Their

* *E.g.*, Bailly and Condorcet.

science is presumptuous ignorance. Their humanity is savage and brutal.

It is not clear, whether in England we learned those grand and decorous principles, and manners, of which considerable traces yet remain, from you, or whether you took them from us. But to you, I think, we trace them best. You seem to me to be—*gentis incunabula nostræ*. France has always more or less influenced manners in England: and when your fountain is choked up and polluted, the stream will not run long, or not run clear with us, or perhaps with any nation. This gives all Europe, in my opinion, but too close and connected a concern in what is done in France. Excuse me, therefore, if I have dwelt too long on the atrocious spectacle of the 6th of October, 1789, or have given too much scope to the reflections which have arisen in my mind on occasion of the most important of all revolutions, which may be dated from that day, I mean a revolution in sentiments, manners, and moral opinions. As things now stand, with everything respectable destroyed without us, and an attempt to destroy within us every principle of respect, one is almost forced to apologize for harbouring the common feelings of men.

Why do I feel so differently from the Reverend Dr. Price, and those of his lay flock, who will choose to adopt the sentiments of his discourse?—For this plain reason—because it is *natural* I should; because we are so made, as to be affected at such spectacles with melancholy sentiments upon the unstable condition of mortal prosperity, and the tremendous uncertainty of human greatness; because in those natural feelings we learn great lessons; because in events like these our passions instruct our reason; because when kings are hurled from their thrones by the Supreme Director of this great drama, and become the objects of insult to the base, and of pity to the good, we behold such disasters in the moral, as we should behold a miracle in the physical order of things. We are alarmed into reflection; our minds (as it has long since been observed) are purified

by terror and pity; our weak, unthinking pride is humbled under the dispensations of a mysterious wisdom. Some tears might be drawn from me, if such a spectacle were exhibited on the stage. I should be truly ashamed of finding in myself that superficial, theatric sense of painted distress, whilst I could exult over it in real life. With such a perverted mind, I could never venture to show my face at a tragedy. People would think the tears that Garrick formerly, or that Siddons not long since, have extorted from me, were the tears of hypocrisy; I should know them to be the tears of folly.

Indeed the theatre is a better school of moral sentiments than churches where the feelings of humanity are thus outraged. Poets who have to deal with an audience not yet graduated in the school of the rights of men, and who must apply themselves to the moral constitution of the heart, would not dare to produce such a triumph as a matter of exultation. There, where men follow their natural impulses, they would not bear the odious maxims of a Machiavelian policy, whether applied to the attainment of monarchical or democratic tyranny. They would reject them on the modern, as they once did on the ancient stage, where they could not bear even the hypothetical proposition of such wickedness in the mouth of a personated tyrant, though suitable to the character he sustained. No theatric audience in Athens would bear what has been borne, in the midst of the real tragedy of this triumphal day; a principal actor weighing, as it were in scales hung in a shop of horrors,—so much actual crime against so much contingent advantage,—and after putting in and out weights, declaring that the balance was on the side of the advantages. They would not bear to see the crimes of new democracy posted as in a ledger against the crimes of old despotism, and the book-keepers of politics, finding democracy still in debt, but by no means unable or unwilling to pay the balance. In the theatre, the first intuitive glance, without any elaborate process of reasoning, will show, that this

method of political computation would justify every extent of crime. They would see, that on these principles, even where the very worst acts were not perpetrated, it was owing rather to the fortune of the conspirators, than to their parsimony in the expenditure of treachery and blood. They would see that criminal means once tolerated are soon preferred. They present a shorter cut to the object than through the highway of the moral virtues. Justifying perfidy and murder for public benefit, public benefit would soon become the pretext, and perfidy and murder the end; until rapacity, malice, revenge, and fear more dreadful than revenge, could satiate their insatiable appetites. Such must be the consequences of losing, in the splendour of these triumphs of the rights of men, all natural sense of wrong and right.

But the reverend pastor exults in this 'leading in triumph,' because truly Louis XVI was 'an arbitrary monarch'; that is, in other words, neither more nor less than because he was Louis XVI, and because he had the misfortune to be born king of France, with the prerogatives of which, a long line of ancestors, and a long acquiescence of the people, without any act of his, had put him in possession. A misfortune it has indeed turned out to him, that he was born king of France, But misfortune is not crime, nor is indiscretion always the greatest guilt. I shall never think that a prince, the acts of whose whole reign were a series of concessions to his subjects, who was willing to relax his authority, to remit his prerogatives, to call his people to a share of freedom, not known, perhaps not desired by their ancestors; such a prince, though he should be subjected to the common frailties attached to men and to princes, though he should have once thought it necessary to provide force against the desperate designs manifestly carrying on against his person, and the remnants of his authority; though all this should be taken into consideration, I shall be led with great difficulty to think he deserves the cruel and insulting triumph of

Paris, and of Dr. Price. I tremble for the cause of liberty, from such an example to kings. I tremble for the cause of humanity, in the unpunished outrages of the most wicked of mankind. But there are some people of that low and degenerate fashion of mind, that they look up with a sort of complacent awe and admiration to kings who know how to keep firm in their seat, to hold a strict hand over their subjects, to assert their prerogative, and, by the awakened vigilance of a severe despotism, to guard against the very first approaches of freedom. Against such as these they never elevate their voice. Deserters from principle, listed with fortune, they never see any good in suffering virtue, nor any crime in prosperous usurpation.

If it could have been made clear to me that the king and queen of France (those I mean who were such before the triumph) were inexorable and cruel tyrants, that they had formed a deliberate scheme for massacring the National Assembly (I think I have seen something like the latter insinuated in certain publications), I should think their captivity just. If this be true, much more ought to have been done, but done, in my opinion, in another manner. The punishment of real tyrants is a noble and awful act of justice; and it has with truth been said to be consolatory to the human mind. But if I were to punish a wicked king, I should regard the dignity in avenging the crime. Justice is grave and decorous, and in its punishments rather seems to submit to a necessity, than to make a choice. Had Nero, or Agrippina, or Louis XI, or Charles IX, been the subject; if Charles XII of Sweden, after the murder of Patkul, or his predecessor Christina, after the murder of Monaldeschi, had fallen into your hands, sir, or into mine, I am sure our conduct would have been different.

If the French king, or king of the French (or by whatever name he is known in the new vocabulary of your constitution), has in his own person, and that of his queen, really deserved these unavowed, but unavenged, murderous attempts, and those frequent indignities

more cruel than murder, such a person would ill deserve even that subordinate executory trust, which I understand is to be placed in him ; nor is he fit to be called chief in a nation which he has outraged and oppressed. A worse choice for such an office in a new commonwealth, than that of a deposed tyrant, could not possibly be made. But to degrade and insult a man as the worst of criminals, and afterwards to trust him in your highest concerns, as a faithful, honest, and zealous servant, is not consistent in reasoning, nor prudent in policy, nor safe in practice. Those who could make such an appointment must be guilty of a more flagrant breach of trust than any they have yet committed against the people. As this is the only crime in which your leading politicians could have acted inconsistently, I conclude that there is no sort of ground for these horrid insinuations. I think no better of all the other calumnies.

In England, we give no credit to them. We are generous enemies : we are faithful allies. We spurn from us with disgust and indignation the slanders of those who bring us their anecdotes with the attestation of the flower-de-luce on their shoulders. We have Lord George Gordon fast in Newgate ; and neither his being a public proselyte to Judaism, nor his having, in his zeal against Catholic priests and all sorts of ecclesiastics, raised a mob (excuse the term, it is still in use here) which pulled down all our prisons, have preserved to him a liberty, of which he did not render himself worthy by a virtuous use of it. We have rebuilt Newgate, and tenanted the mansion. We have prisons almost as strong as the Bastille for those who dare to libel the queens of France. In this spiritual retreat, let the noble libeller remain. Let him there meditate on his Thalmud, until he learns a conduct more becoming his birth and parts, and not so disgraceful to the ancient religion to which he has become a proselyte ; or until some persons from your side of the water, to please your new Hebrew brethren, shall ransom him.

He may then be enabled to purchase, with the old hoards of the synagogue, and a very small poundage, on the long compound interest of the thirty pieces of silver (Dr. Price has shown us what miracles compound interest will perform in 1790 years), the lands which are lately discovered to have been usurped by the Gallican church. Send us your popish archbishop of Paris, and we will send your our protestant Rabbin. We shall treat the person you send us in exchange like a gentleman and an honest man, as he is ; but pray let him bring with him the fund of his hospitality, bounty, and charity ; and, depend upon it, we shall never confiscate a shilling of that honourable and pious fund, nor think of enriching the treasury with the spoils of the poor-box.

To tell you the truth, my dear sir, I think the honour of our nation to be somewhat concerned in the disclaimer of the proceedings of this society of the Old Jewry and the London Tavern. I have no man's proxy. I speak only for myself, when I disclaim, as I do with all possible earnestness, all communion with the actors in that triumph, or with the admirers of it. When I assert anything else, as concerning the people of England, I speak from observation, not from authority ; but I speak from the experience I have had in a pretty extensive and mixed communication with the inhabitants of this kingdom, of all descriptions and ranks, and after a course of attentive observation, begun in early life, and continued for nearly forty years. I have often been astonished, considering that we are divided from you but by a slender dyke of about twenty-four miles, and that the mutual intercourse between the two countries has lately been very great, to find how little you seem to know of us. I suspect that this is owing to your forming a judgment of this nation from certain publications which do, very erroneously, if they do at all, represent the opinions and dispositions generally prevalent in England. The vanity, restlessness, petulance, and spirit of intrigue, of several petty

cabals, who attempt to hide their total want of consequence in bustle and noise and puffing and mutual quotation of each other, makes you imagine that our contemptuous neglect of their abilities is a general mark of acquiescence in their opinions. No such thing, I assure you. Because half a dozen grasshoppers under a fern make the field ring with their importunate chink, whilst thousands of great cattle, reposed beneath the shadow of the British oak, chew the cud and are silent, pray do not imagine that those who make the noise are the only inhabitants of the field; that of course, they are many in number; or that, after all, they are other than the little, shrivelled, meagre, hopping, though loud and troublesome insects of the hour.

I almost venture to affirm that not one in a hundred amongst us participates in the 'triumph' of the Revolution Society. If the King and Queen of France, and their children, were to fall into our hands by the chance of war, in the most acrimonious of all hostilities (I deprecate such an event, I deprecate such hostility), they would be treated with another sort of triumphal entry into London. We formerly have had a king of France in that situation; you have read how he was treated by the victor in the field; and in what manner he was afterwards received in England. Four hundred years have gone over us; but I believe we are not materially changed since that period. Thanks to our sullen resistance to innovation, thanks to the cold sluggishness of our national character, we still bear the stamp of our forefathers. We have not (as I conceive) lost the generosity and dignity of thinking of the fourteenth century; nor as yet have we subtilized ourselves into savages. We are not the converts of Rousseau; we are not the disciples of Voltaire; Helvetius has made no progress amongst us. Atheists are not our preachers; madmen are not our lawgivers. We know that *we* have made no discoveries; and we think that no discoveries are to be made, in morality; nor many in the great principles of government, nor in the ideas of liberty,

which were understood long before we were born, altogether as well as they will be after the grave has heaped its mould upon our presumption, and the silent tomb shall have imposed its law on our pert loquacity. In England we have not yet been completely embowelled of our natural entrails; we still feel within us, and we cherish and cultivate, those inbred sentiments which are the faithful guardians, the active monitors of our duty, the true supporters of all liberal and manly morals. We have not been drawn and trussed, in order that we may be filled, like stuffed birds in a museum, with chaff and rags and paltry blurred shreds of paper about the rights of man. We preserve the whole of our feelings still native and entire, unsophisticated by pedantry and infidelity. We have real hearts of flesh and blood beating in our bosoms. We fear God; we look up with awe to kings; with affection to parliaments; with duty to magistrates; with reverence to priests; and with respect to nobility.* Why? Because when such ideas are brought before our minds it is *natural* to be so affected; because all other feelings are false and spurious, and tend to corrupt our mind, to vitiate our primary morals, to render us unfit for rational liberty; and by teaching us a servile, licentious, and abandoned insolence, to be our low sport for a few holidays, to make us perfectly fit for, and justly deserving of, slavery, through the whole course of our lives.

You see, sir, that in this enlightened age I am bold enough to confess, that we are generally men of untaught feelings; that, instead of casting away all our old prejudices, we cherish them to a very considerable

* The English are, I conceive, misrepresented in a letter published in one of the papers, by a gentleman thought to be a dissenting minister.—When writing to Dr. Price of the spirit which prevails at Paris, he says, 'The spirit of the people in this place has abolished all the proud *distinctions* which the *king* and *nobles* had usurped in their minds: whether they talk of the *king*, the *noble*, or the *priest*, their whole language is that of the most *enlightened* and *liberal* amongst the *English*.' If this gentleman means to confine the terms *enlightened* and *liberal* to one set of men in England, it may be true. It is not generally so.

degree, and, to take more shame to ourselves, we cherish them because they are prejudices; and the longer they have lasted and the more generally they have prevailed, the more we cherish them. We are afraid to put men to live and trade each on his own private stock of reason; because we suspect that the stock in each man is small, and that the individuals would do better to avail themselves of the general bank and capital of nations and of ages. Many of our men of speculation, instead of exploding general prejudices, employ their sagacity to discover the latent wisdom which prevails in them. If they find what they seek, and they seldom fail, they think it more wise to continue the prejudice, with the reason involved, than to cast away the coat of prejudice, and to leave nothing but the naked reason; because prejudice, with its reason, has a motive to give action to that reason, and an affection which will give it permanence. Prejudice is of ready application in the emergency; it previously engages the mind in a steady course of wisdom and virtue, and does not leave the man hesitating in the moment of decision, sceptical, puzzled, and unresolved. Prejudice renders a man's virtue his habit: and not a series of unconnected acts. Through just prejudice, his duty becomes a part of his nature.

Your literary men, and your politicians, and so do the whole clan of the enlightened among us, essentially differ in these points. They have no respect for the wisdom of others; but they pay it off by a very full measure of confidence in their own. With them it is a sufficient motive to destroy an old scheme of things, because it is an old one. As to the new, they are in no sort of fear with regard to the duration of a building run up in haste; because duration is no object to those who think little or nothing has been done before their time, and who place all their hopes in discovery. They conceive, very systematically, that all things which give perpetuity are mischievous, and therefore they are at inexorable war with all establishments. They think that

government may vary like modes of dress, and with as little ill effect ; that there needs no principle of attachment, except a sense of present conveniency, to any constitution of the state. They always speak as if they were of opinion that there is a singular species of compact between them and their magistrates, which binds the magistrate, but which has nothing reciprocal in it, but that the majesty of the people has a right to dissolve it without any reason but its will. Their attachment to their country itself is only so far as it agrees with some of their fleeting projects ; it begins and ends with that scheme of polity which falls in with their momentary opinion.

These doctrines, or rather sentiments, seem prevalent with your new statesmen. But they are wholly different from those on which we have always acted in this country.

I hear it is sometimes given out in France, that what is doing among you is after the example of England. I beg leave to affirm that scarcely anything done with you has originated from the practice or the prevalent opinions of this people, either in the act or in the spirit of the proceeding. Let me add that we are as unwilling to learn these lessons from France, as we are sure that we never taught them to that nation. The cabals here, who take a sort of share in your transactions as yet consist of but a handful of people. If unfortunately by their intrigues, their sermons, their publications, and by a confidence derived from an expected union with the counsels and forces of the French nation, they should draw considerable numbers into their faction, and in consequence should seriously attempt anything here in imitation of what has been done with you, the event, I dare venture to prophesy, will be that, with some trouble to their country, they will soon accomplish their own destruction. This people refused to change their law in remote ages from respect to the infallibility of popes ; and they will not now alter it from a pious implicit faith in the dogmatism of philosophers ; though the former was armed with the anathema and

crusade, and though the latter should act with the libel and the lamp-iron.

Formerly your affairs were your own concern only. We felt for them as men ; but we kept aloof from them, because we were not citizens of France. But when we see the model held up to ourselves, we must feel as Englishmen, and feeling, we must provide as Englishmen. Your affairs, in spite of us, are made a part of our interest ; so far at least as to keep at a distance your panacea, or your plague. If it be a panacea, we do not want it. We know the consequences of unnecessary physic. If it be a plague ; it is such a plague that the precautions of the most severe quarantine ought to be established against it.

I hear on all hands that a cabal, calling itself philosophic, receives the glory of many of the late proceedings ; and that their opinions and systems are the true actuating spirit of the whole of them. I have heard of no party in England, literary or political, at any time known by such a description. It is not with you composed of those men, is it ? whom the vulgar in their blunt, homely style, commonly call Atheists and Infidels ? If it be, I admit that we too have had writers of that description, who made some noise in their day. At present they repose in lasting oblivion. Who, born within the last forty years, has read one word of Collins, and Toland, and Tindal, and Chubb, and Morgan, and that whole race who called themselves Freethinkers ? Who now reads Bolingbroke ? Who ever read him through ? Ask the booksellers of London what is become of all these lights of the world. In as few years their few successors will go to the family vault of 'all the Capulets.' But whatever they were, or are, with us, they were and are wholly unconnected individuals. With us they kept the common nature of their kind, and were not gregarious. They never acted in corps, or were known as a faction in the state, nor presumed to influence in that name or character, or for the purposes of such a faction, any of our public

concerns. Whether they ought so to exist, and so be permitted to act, is another question. As such cabals have not existed in England, so neither has the spirit of them had any influence in establishing the original frame of our constitution, or in any one of the several reparations and improvements it has undergone. The whole has been done under the auspices, and is confirmed by the sanctions, of religion and piety. The whole has emanated from the simplicity of our national character, and from a sort of native plainness and directness of understanding, which for a long time characterized those men who have successively obtained authority among us. This disposition still remains; at least in the great body of the people.

We know, and, what is better, we feel inwardly, that religion is the basis of civil society, and the source of all good, and of all comfort.* In England we are so convinced of this, that there is no rust of superstition with which the accumulated absurdity of the human mind might have crusted it over in the course of ages, that ninety-nine in a hundred of the people of England would not prefer to impiety. We shall never be such fools as to call in an enemy to the substance of any system to remove its corruptions, to supply its defects, or to perfect its construction. If our religious tenets should ever want a further elucidation, we shall not call on atheism to explain them. We shall not light up our temple from that unhallowed fire. It will be illuminated with other lights. It will be perfumed with other incense, than the infectious stuff which is imported by the smugglers of adulterated metaphysics. If our ecclesiastical establishment should want a revision, it is not avarice or rapacity, public or private,

* *Sit igitur hoc ab initio persuasum civibus, dominos esse omnium rerum ac moderatores, deos; eaque, quæ gerantur, eorum geri vi, ditione, ac numine; eosdemque optime de genere hominum mereri; et qualis quisque sit, quid agat, quid in se admittat, qua mente qua pietate colat religiones intueri: piorum et impiorum habere rationem. His enim rebus imbutæ mentes haud sane abhorrebunt ab utili et a vera sententia.* Cic. de Legibus, l. 2.

that we shall employ for the audit, or receipt, or application of its consecrated revenue. Violently condemning neither the Greek nor the Armenian, nor, since heats are subsided, the Roman system of religion, we prefer the Protestant; not because we think it has less of the Christian religion in it, but because, in our judgment, it has more. We are Protestants, not from indifference, but from zeal.

We know, and it is our pride to know, that man is by his constitution a religious animal; that atheism is against, not only our reason, but our instincts; and that it cannot prevail long. But if, in the moment of riot, and in a drunken delirium from the hot spirit drawn out of the alembic of hell, which in France is now so furiously boiling, we should uncover our nakedness, by throwing off that Christian religion which has hitherto been our boast and comfort, and one great source of civilization amongst us, and among many other nations, we are apprehensive (being well aware that the mind will not endure a void) that some uncouth, pernicious and degrading superstition might take place of it.

For that reason, before we take from our establishment the natural, human means of estimation, and give it up to contempt, as you have done, and in doing it have incurred the penalties you well deserve to suffer, we desire that some other may be presented to us in the place of it. We shall then form our judgment.

On these ideas, instead of quarrelling with establishments, as some do, who have made a philosophy and a religion of their hostility to such institutions, we cleave closely to them. We are resolved to keep an established church, and established monarchy, an established aristocracy, and an established democracy, each in the degree it exists, and in no greater. I shall show you presently how much of each of these we possess.

It has been the misfortune (not as these gentlemen think it, the glory) of this age, that everything is to be discussed, as if the constitution of our country were to be always a subject rather of altercation than enjoyment.

For this reason, as well as for the satisfaction of those among you (if any such you have among you) who may wish to profit of examples, I venture to trouble you with a few thoughts upon each of these establishments. I do not think they were unwise in ancient Rome, who, when they wished to new-model their laws, set commissioners to examine the best constituted republics within their reach.

First, I beg leave to speak of our church establishment, which is the first of our prejudices, not a prejudice destitute of reason, but involving in it profound and extensive wisdom. I speak of it first. It is first, and last, and midst in our minds. For, taking ground on that religious system, of which we are now in possession, we continue to act on the early received, and uniformly continued sense of mankind. That sense not only, like a wise architect, hath built up the august fabric of states, but like a provident proprietor, to preserve the structure from profanation and ruin, as a sacred temple, purged from all the impurities of fraud, and violence, and injustice, and tyranny, hath solemnly and for ever consecrated the commonwealth, and all that officiate in it. This consecration is made, that all who administer in the government of men, in which they stand in the person of God Himself, should have high and worthy notions of their function and destination; that their hope should be full of immortality; that they should not look to the paltry pelf of the moment, nor to the temporary and transient praise of the vulgar, but to a solid, permanent existence, in the permanent part of their nature, and to a permanent fame and glory, in the example they leave as a rich inheritance to the world.

Such sublime principles ought to be infused into persons of exalted situations; and religious establishments provided, that may continually revive and enforce them. Every sort of moral, every sort of civil, every sort of politic institution, aiding the rational and natural ties that connect the human understanding and

affections to the divine, are not more than necessary, in order to build up that wonderful structure, Man ; whose prerogative it is, to be in a great degree a creature of his own making ; and who, when made as he ought to be made, is destined to hold no trivial place in the creation. But whenever man is put over men, as the better nature ought ever to preside, in that case more particularly, he should as nearly as possible be approximated to his perfection.

The consecration of the state, by a state religious establishment, is necessary also to operate with a wholesome awe upon free citizens ; because, in order to secure their freedom, they must enjoy some determinate portion of power. To them therefore a religion connected with the state, and with their duty towards it, becomes even more necessary than in such societies, where the people, by the terms of their subjection, are confined to private sentiments, and the management of their own family concerns. All persons possessing any portion of power ought to be strongly and awfully impressed with an idea that they act in trust ; and that they are to account for their conduct in that trust to the one great Master, Author and Founder of society.

This principle ought even to be more strongly impressed upon the minds of those who compose the collective sovereignty, than upon those of single princes. Without instruments, these princes can do nothing. Whoever uses instruments, in finding helps, finds also impediments. Their power is therefore by no means complete ; nor are they safe in extreme abuse. Such persons, however elevated by flattery, arrogance, and self-opinion, must be sensible that, whether covered or not by positive law, in some way or other they are accountable even here for the abuse of their trust. If they are not cut off by a rebellion of their people, they may be strangled by the very janissaries kept for their security against all other rebellion. Thus we have seen the King of France sold by his soldiers for an increase of pay. But where popular authority is

absolute and unrestrained, the people have an infinitely greater, because a far better founded confidence in their own power. They are themselves, in a great measure, their own instruments. They are nearer to their objects. Besides, they are less under responsibility to one of the greatest controlling powers on earth, the sense of fame and estimation. The share of infamy, that is likely to fall to the lot of each individual in public acts, is small indeed; the operation of opinion being in the inverse ratio to the number of those who abuse power. Their own approbation of their own acts has to them the appearance of a public judgment in their favour. A perfect democracy is therefore the most shameless thing in the world. As it is the most shameless, it is also the most fearless. No man apprehends in his person that he can be made subject to punishment. Certainly the people at large never ought: for as all punishments are for example towards the conservation of the people at large, the people at large can never become the subject of punishments by any human hand.* It is therefore of infinite importance that they should not be suffered to imagine that their will, any more than that of kings, is the standard of right and wrong. They ought to be persuaded that they are full as little entitled, and far less qualified, with safety to themselves, to use any arbitrary power whatsoever; that therefore they are not, under a false show of liberty, but, in truth, to exercise an unnatural, inverted domination, tyrannically to exact from those who officiate in the state, not an entire devotion to their interest, which is their right, but an abject submission to their occasional will; extinguishing thereby, in all those who serve them, all moral principle, all sense of dignity, all use of judgment, and all consistency of character; whilst by the very same process they give themselves up a proper, a suitable, but a most contemptible prey to the servile ambition of popular sycophants, or courtly flatterers.

* *Quicquid multis peccantur inultum.*

When the people have emptied themselves of all the lust of selfish will, which without religion it is utterly impossible they ever should, when they are conscious that they exercise, and exercise perhaps in a higher link of the order of delegation, the power, which to be legitimate must be according to that eternal, immutable law, in which will and reason are the same, they will be more careful how they place power in base and incapable hands. In their nomination to office, they will not appoint to the exercise of authority, as to a pitiful job, but as to a holy function ; not according to their sordid, selfish interest, nor to their wanton caprice, nor to their arbitrary will ; but they will confer that power (which any man may well tremble to give or to receive) on those only in whom they may discern that predominant proportion of active virtue and wisdom, taken together and fitted to the charge, such as, in the great and inevitable mixed mass of human imperfections and infirmities, is to be found.

When they are habitually convinced that no evil can be acceptable, either in the act or the permission, to him whose essence is good, they will be better able to extirpate out of the minds of all magistrates, civil, ecclesiastical, or military, anything that bears the least resemblance to a proud and lawless domination.

But one of the first and most leading principles on which the commonwealth and the laws are consecrated, is lest the temporary possessors and life-renters in it, unmindful of what they have received from their ancestors, or of what is due to their posterity, should act as if they were the entire masters ; that they should not think it amongst their rights to cut off the entail or commit waste on the inheritance, by destroying at their pleasure the whole original fabric of their society ; hazarding to leave to those who come after them a ruin instead of a habitation—and teaching these successors as little to respect their contrivances, as they had themselves respected the institutions of their forefathers. By this unprincipled facility of changing the state as often,

and as much, and in as many ways, as there are floating fancies or fashions, the whole chain and continuity of the commonwealth would be broken. No one generation could link with the other. Men would become little better than the flies of a summer.

And first of all, the science of jurisprudence, the pride of human intellect, which, with all its defects, redundancies, and errors, is the collected reason of ages, combining the principles of original justice with the infinite variety of human concerns, as a heap of old exploded errors, would be no longer studied. Personal self-sufficiency and arrogance (the certain attendants upon all those who have never experienced a wisdom greater than their own) would usurp the tribunal. Of course no certain laws, establishing invariable grounds of hope and fear, would keep the actions of men in a certain course, or direct them to a certain end. Nothing stable in the modes of holding property, or exercising function, could form a solid ground on which any parent could speculate in the education of his offspring, or in a choice for their future establishment in the world. No principles would be early worked into the habits. As soon as the most able instructor had completed his laborious course of institution, instead of sending forth his pupil, accomplished in a virtuous discipline, fitted to procure him attention and respect, in his place in society, he would find everything altered; and that he had turned out a poor creature to the contempt and derision of the world, ignorant of the true grounds of estimation. Who would insure a tender and delicate sense of honour to beat almost with the first pulses of the heart, when no man could know what would be the test of honour in a nation, continually varying the standard of its coin? No part of life would retain its acquisitions. Barbarism with regard to science and literature, unskilfulness with regard to arts and manufactures, would infallibly succeed to the want of a steady education and settled principle; and thus the commonwealth itself would, in a few generations, crumble away, be disconnected into the dust and

powder of individuality, and at length dispersed to all the winds of heaven.

To avoid therefore the evils of inconstancy and versatility, ten thousand times worse than those of obstinacy and the blindest prejudice, we have consecrated the state, that no man should approach to look into its defects or corruptions but with due caution; that he should never dream of beginning its reformation by its subversion; that he should approach to the faults of the state as to the wounds of a father, with pious awe, and trembling solicitude. By this wise prejudice we are taught to look with horror on those children of their country, who are prompt rashly to hack that aged parent in pieces, and put him into the kettle of magicians, in hopes that by their poisonous weeds, and wild incantations, they may regenerate the paternal constitution, and renovate their father's life.

Society is indeed a contract. Subordinate contracts for objects of mere occasional interest may be dissolved at pleasure—but the state ought not to be considered nothing better than a partnership agreement in a trade of pepper and coffee, calico or tobacco, or some other such low concern, to be taken up for a little temporary interest, and to be dissolved by the fancy of the parties. It is to be looked on with other reverence; because it is not a partnership in things subservient only to the gross animal existence of a temporary and perishable nature. It is a partnership in all science; a partnership in all art; a partnership in every virtue, and in all perfection. As the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born. Each contract of each particular state is but a clause in the great primeval contract of eternal society, linking the lower with the higher natures, connecting the visible and invisible world, according to a fixed compact sanctioned by the inviolable oath which holds all physical and all moral natures, each in their appointed place. This

law is not subject to the will of those, who by an obligation above them, and infinitely superior, are bound to submit their will to that law. The municipal corporations of that universal kingdom are not morally at liberty at their pleasure, and on their speculations of a contingent improvement wholly to separate and tear asunder the bands of their subordinate community, and to dissolve it into an unsocial, uncivil, unconnected chaos of elementary principles. It is the first and supreme necessity only, a necessity that is not chosen, but chooses, a necessity paramount to deliberation, that admits no discussion, and demands no evidence, which alone can justify a resort to anarchy. This necessity is no exception to the rule ; because this necessity itself is a part too of that moral and physical disposition of things, to which man must be obedient by consent of force : but if that which is only submission to necessity should be made the object of choice, the law is broken, nature is disobeyed, and the rebellious are outlawed, cast forth, and exiled, from this world of reason, and order, and peace, and virtue, and fruitful penitence, into the antagonist world of madness, discord, vice, confusion, and unavailing sorrow.

These, my dear sir, are, were, and, I think, long will be, the sentiments of not the least learned and reflecting part of this kingdom. They, who are included in this description, form their opinions on such grounds as such persons ought to form them. The less inquiring receive them from an authority, which those whom Providence dooms to live on trust need not be ashamed to rely on. These two sorts of men move in the same direction, though in a different place. They both move with the order of the universe. They all know or feel this great ancient truth, ‘ *Quod illi principi et præpotenti Deo qui omnem hunc mundum regit, nihil eorum quæ quidem fiant in terris acceptius quam concilia et cœtus hominum jure sociati quæ civitates appellantur.*’ They take this tenet of the head and heart, not from the great name which it immediately bears, nor from the greater from

whence it is derived ; but from that which alone can give true weight and sanction to any learned opinion, the common nature and common relation of men. Persuaded that all things ought to be done with reference, and referring all to the point of reference to which all should be directed, they think themselves bound, not only as individuals in the sanctuary of the heart, or as congregated in that personal capacity, to renew the memory of their high origin and cast ; but also in their corporate character to perform their national homage to the institutor, and author and protector of civil society ; without which civil society man could not by any possibility arrive at the perfection of which his nature is capable, nor even make a remote and faint approach to it. They conceive that He who gave our nature to be perfected by our virtue, willed also the necessary means of its perfection.—He willed therefore the state—He willed its connexion with the source and original archetype of all perfection. They who are convinced of this his will, which is the law of laws, and the sovereign of sovereigns, cannot think it reprehensible that this our corporate fealty and homage, that this our recognition of a seigniority paramount, I had almost said this oblation of the state itself, as a worthy offering on the high altar of universal praise, should be performed as all public, solemn acts are performed, in buildings, in music, in decoration, in speech, in the dignity of persons, according to the customs of mankind, taught by their nature ; that is, with modest splendour, with unassuming state, with mild majesty and sober pomp. For those purposes they think some part of the wealth of the country is as usefully employed as it can be in fomenting the luxury of individuals. It is the public ornament. It is the public consolation. It nourishes the public hope. The poorest man finds his own importance and dignity in it, whilst the wealth and pride of individuals at every moment makes the man of humble rank and fortune sensible of his inferiority, and degrades and vilifies his condition. It is for the man in humble life, and to raise his nature and to put him in

mind of a state in which the privileges of opulence will cease, when he will be equal by nature, and may be more than equal by virtue, that this portion of the general wealth of his country is employed and sanctified.

I assure you I do not aim at singularity. I give you opinions which have been accepted amongst us, from very early times to this moment, with a continued and general approbation, and which indeed are so worked into my mind, that I am unable to distinguish what I have learned from others from the results of my own meditation.

It is on some such principles that the majority of the people of England, far from thinking a religious national establishment unlawful, hardly think it lawful to be without one. In France you are wholly mistaken if you do not believe us above all other things attached to it, and beyond all other nations ; and when this people has acted unwisely and unjustifiably in its favour (as in some instances they have done most certainly) in their very errors you will at least discover their zeal.

This principle runs through the whole system of their polity. They do not consider their church establishment as convenient, but as essential to their state ; not as a thing heterogeneous and separable ; something added for accommodation ; what they may either keep or lay aside, according to their temporary ideas of convenience. They consider it as the foundation of their whole constitution, with which, and with every part of which, it holds an indissoluble union. Church and state are ideas inseparable in their minds, and scarcely is the one ever mentioned without mentioning the other.

Our education is so formed as to confirm and fix this impression. Our education is in a manner wholly in the hands of ecclesiastics, and in all stages from infancy to manhood. Even when our youth, leaving schools and universities, enter that most important period of life which begins to link experience and study together, and when with that view they visit other countries, instead

of old domestics whom we have seen as governors to principal men from other parts, three-fourths of those who go abroad with our young nobility and gentlemen are ecclesiastics; not as austere masters, nor as mere followers; but as friends and companions of a graver character, and not seldom persons as well born as themselves. With them, as relations, they most commonly keep up a close connexion through life. By this connexion we conceive that we attach our gentlemen to the church; and we liberalize the church by an intercourse with the leading characters of the country.

So tenacious are we of the old ecclesiastical modes and fashions of institution, that very little alteration has been made in them since the fourteenth or fifteenth century: adhering in this particular, as in all things else, to our old settled maxims, never entirely nor at once to depart from antiquity. We found these old institutions, on the whole, favourable to morality and discipline; and we thought they were susceptible of amendment, without altering the ground. We thought that they were capable of receiving and meliorating, and above all of preserving, the accessions of science and literature, as the order of Providence should successively produce them. And after all, with this gothic and monkish education (for such it is in the groundwork) we may put in our claim to as ample and as early a share in all the improvements in science, in arts, and in literature, which have illuminated and adorned the modern world, as any other nation in Europe: we think one main cause of this improvement was our not despising the patrimony of knowledge which was left us by our forefathers.

It is from our attachment to a church establishment, that the English nation did not think it wise to entrust that great, fundamental interest of the whole to what they trust no part of their civil or military public service, that is, to the unsteady and precarious contribution of individuals. They go further. They certainly never have suffered, and never will suffer, the fixed estate of

the church to be converted into a pension, to depend on the treasury, and to be delayed, withheld, or perhaps to be extinguished by fiscal difficulties: which difficulties may sometimes be pretended for political purposes, and are in fact often brought on by the extravagance, negligence, and rapacity of politicians. The people of England think that they have constitutional motives, as well as religious, against any project of turning their independent clergy into ecclesiastical pensioners of state. They tremble for their liberty, from the influence of a clergy dependent on the crown; they tremble for the public tranquillity from the disorders of a factious clergy, if it were made to depend upon any other than the crown. They therefore made their church, like their king and their nobility, independent.

From the united considerations of religion and constitutional policy, from their opinion of a duty to make a sure provision for the consolation of the feeble and the instruction of the ignorant, they have incorporated and identified the estate of the church with the mass of *private property*, of which the state is not the proprietor, either for use or dominion, but the guardian only and the regulator. They have ordained that the provision of this establishment might be as stable as the earth on which it stands, and should not fluctuate with the Euripus of funds and actions.

The men of England, the men, I mean, of light and leading in England, whose wisdom (if they have any) is open and direct, would be ashamed, as of a silly, deceitful trick, to profess any religion in name, which, by their proceedings, they appear to condemn. If by their conduct (the only language that rarely lies) they seemed to regard the great ruling principle of the moral and the natural world, as a mere invention to keep the vulgar in obedience, they apprehend that by such a conduct they would defeat the politic purpose they have in view. They would find it difficult to make others believe in a system to which they manifestly gave no credit themselves. The Christian statesmen of this land would indeed first

provide for the *multitude* ; because it is the *multitude* ; and is therefore, as such, the first object in the ecclesiastical institution, and in all institutions. They have been taught that the circumstance of the Gospel's being preached to the poor was one of the great tests of its true mission. They think, therefore, that those do not believe it, who do not take care it should be preached to the poor. But as they know that charity is not confined to any one description, but ought to apply itself to all men who have wants, they are not deprived of a due and anxious sensation of pity to the distresses of the miserable great. They are not repelled through a fastidious delicacy, at the stench of their arrogance and presumption, from a medicinal attention to their mental blotches, and running sores. They are sensible that religious instruction is of more consequence to them than to any others ; from the greatness of the temptation to which they are exposed ; from the important consequences that attend their faults ; from the contagion of their ill example ; from the necessity of bowing down the stubborn neck of their pride and ambition to the yoke of moderation and virtue ; from a consideration of the fat stupidity and gross ignorance concerning what imports men most to know, which prevails at courts, and at the head of armies, and in senates, as much as at the loom and in the field.

The English people are satisfied, that to the great the consolations of religion are as necessary as its instructions. They too are among the unhappy. They feel personal pain and domestic sorrow. In these they have no privilege, but are subject to pay their full contingent to the contributions levied on mortality. They want this sovereign balm under their gnawing cares and anxieties, which, being less conversant about the limited wants of animal life, range without limit, and are diversified by infinite combinations in the wild and unbounded regions of imagination. Some charitable dole is wanting to these, our often very unhappy brethren, to fill the gloomy void that reigns in minds which have nothing

on earth to hope or fear ; something to relieve in the killing languor and over-laboured lassitude of those who have nothing to do ; something to excite an appetite to existence in the palled satiety which attends on all pleasures which may be bought, where nature is not left to her own process, where even desire is anticipated, and therefore fruition defeated by meditated schemes and contrivances of delight ; and no interval, no obstacle, is interposed between the wish and the accomplishment.

The people of England know how little influence the teachers of religion are likely to have with the wealthy and powerful of long standing, and how much less with the newly fortunate, if they appear in a manner no way assorted to those with whom they must associate, and over whom they must even exercise, in some cases, something like an authority. What must they think of that body of teachers, if they see it in no part above the establishment of their domestic servants ? If the poverty were voluntary, there might be some difference. Strong instances of self-denial operate powerfully on our minds ; and a man who has no wants has obtained great freedom, and firmness, and even dignity. But as the mass of any description of men are but men, and their poverty cannot be voluntary, that disrespect, which attends upon all lay property, will not depart from the ecclesiastical. Our provident constitution has therefore taken care that those who are to instruct presumptuous ignorance, those who are to be censors over insolent vice, should neither incur their contempt, nor live upon their alms ; nor will it tempt the rich to a neglect of the true medicine of their minds. For these reasons, whilst we provide first for the poor, and with a parental solicitude, we have not relegated religion (like something we were ashamed to show) to obscure municipalities, or rustic villages. No ! we will have her to exalt her mitred front in courts and parliaments. We will have her mixed throughout the whole mass of life, and blended with all the classes of society. The people of England will show to the haughty potentates

of the world, and to their talking sophisters, that a free, a generous, an informed nation honours the high magistrates of its church ; that it will not suffer the insolence of wealth and titles, or any other species of proud pretension, to look down with scorn upon what they look up to with reverence ; nor presume to trample on that acquired personal nobility, which they intend always to be, and which often is, the fruit, not the reward (for what can be the reward ?) of learning, piety, and virtue. They can see, without pain or grudging, an archbishop precede a duke. They can see a bishop of Durham, or a bishop of Winchester, in possession of ten thousand pounds a year ; and cannot conceive why it is in worse hands than estates to the like amount in the hands of this earl, or that squire ; although it may be true that so many dogs and horses are not kept by the former, and fed with the victuals which ought to nourish the children of the people. It is true, the whole church revenue is not always employed, and to every shilling, in charity ; nor perhaps ought it ; but something is generally so employed. It is better to cherish virtue and humanity, by leaving much to free will, even with some loss to the object, than to attempt to make men mere machines and instruments of a political benevolence. The world on the whole will gain by a liberty, without which virtue cannot exist.

When once the commonwealth has established the estates of the church as property, it can, consistently, hear nothing of the more or the less. Too much and too little are treason against property. What evil can arise from the quantity in any hand, whilst the supreme authority has the full, sovereign superintendence over this, as over any property, to prevent every species of abuse ; and, whenever it notably deviates, to give to it a direction agreeable to the purposes of its institution.

In England most of us conceive that it is envy and malignity towards those who are often the beginners of their own fortune, and not a love of the self-denial and mortification of the ancient church, that makes some

look askance at the distinctions, and honours, and revenues, which, taken from no person, are set apart for virtue. The ears of the people of England are distinguishing. They hear these men speak broad. Their tongue betrays them. Their language is in the *patois* of fraud; in the cant and gibberish of hypocrisy. The people of England must think so, when these praters affect to carry back the clergy to that primitive, evangelical poverty, which, in the spirit, ought always to exist in them (and in us too, however we may like it), but in the thing must be varied, when the relation of that body to the state is altered; when manners, when modes of life, when indeed the whole order of human affairs has undergone a total revolution. We shall believe those reformers then to be honest enthusiasts, not, as now we think them, cheats and deceivers, when we see them throwing their own goods into common, and submitting their own person to the austere discipline of the early church.

With these ideas rooted in their minds the commons of Great Britain, in the national emergencies, will never seek their resource from the confiscation of the estates of the church and poor. Sacrilege and proscription are not among the ways and means of our committee of supply. The Jews in Change-alley have not yet dared to hint their hopes of a mortgage on the revenues belonging to the see of Canterbury. I am not afraid that I shall be disavowed when I assure you, that there is not *one* public man in this kingdom whom you would wish to quote; no not one, of any party or description, who does not reprobate the dishonest, perfidious, and cruel confiscation which the National Assembly has been compelled to make of that property, which it was their first duty to protect.

It is with the exultation of a little national pride I tell you, that those amongst us who have wished to pledge the societies of Paris in the cup of their abominations have been disappointed. The robbery of your church has proved a security to the possessions of ours.

It has roused the people. They see with horror and alarm that enormous and shameless act of proscription. It has opened, and will more and more open, their eyes upon the selfish enlargement of mind, and the narrow liberality of sentiment of insidious men, which, commencing in close hypocrisy and fraud, have ended in open violence and rapine. At home we behold similar beginnings. We are on our guard against similar conclusions.

I hope we shall never be so totally lost to all sense of the duties imposed upon us by the law of social union, as, upon any pretext of public service, to confiscate the goods of a single unoffending citizen. Who but a tyrant (a name expressive of everything which can vitiate and degrade human nature) could think of seizing on the property of men, unaccused, unheard, untried, by whole descriptions, by hundreds and thousands together? Who, that had not lost every trace of humanity, could think of casting down men of exalted rank and sacred function, some of them of an age to call at once for reverence and compassion, of casting them down from the highest situation in the commonwealth, wherein they were maintained by their own landed property, to a state of indigence, depression, and contempt?

The confiscators truly have made some allowance to their victims from the scraps and fragments of their own tables, from which they have been so harshly driven, and which have been so bountifully spread for a feast to the harpies of usury. But to drive men from independence to live on alms, is itself great cruelty. That which might be a tolerable condition to men in one state of life, and not habituated to other things, may, when all these circumstances are altered, be a dreadful revolution; and one to which a virtuous mind would feel pain in condemning any guilt, except that which would demand the life of the offender. But to many minds this punishment of *degradation* and *infamy* is worse than death. Undoubtedly it is an infinite aggravation of this cruel suffering, that the persons who

were taught a double prejudice in favour of religion, by education, and by the place they held in the administration of its functions, are to receive the remnants of the property as alms from the profane and impious hands of those who had plundered them of all the rest ; to receive (if they are at all to receive) not from the charitable contributions of the faithful, but from the insolent tenderness of known and avowed atheism, the maintenance of religion, measured out to them on the standard of the contempt in which it is held ; and for the purpose of rendering those who receive the allowance vile, and of no estimation, in the eyes of mankind.

But this act of seizure of property, it seems, is a judgment in law, and not a confiscation. They have, it seems, found out in the academies of the *Palais Royal*, and the *Jacobins*, that certain men had no right to the possessions which they held under law, usage, the decisions of courts, and the accumulated prescription of a thousand years. They say that ecclesiastics are fictitious persons, creatures of the state, whom at pleasure they may destroy, and of course limit and modify in every particular ; that the goods they possess are not properly theirs, but belong to the state which created the fiction ; and we are therefore not to trouble ourselves with what they may suffer in their natural feelings and natural persons, on account of what is done towards them in this their constructive character. Of what import is it, under what names you injure men, and deprive them of the just emoluments of a profession, in which they were not only permitted but encouraged by the state to engage ; and upon the supposed certainty of which emoluments they had formed the plan of their lives, contracted debts, and led multitudes to an entire dependence upon them ?

You do not imagine, sir, that I am going to compliment this miserable distinction of persons with any long discussion. The arguments of tyranny are as contemptible as its force is dreadful. Had not your confiscators, by their early crimes, obtained a power which

secures indemnity to all the crimes of which they have since been guilty, or that they can commit, it is not the syllogism of the logician, but the lash of the executioner, that would have refuted a sophistry which becomes an accomplice of theft and murder. The sophistic tyrants of Paris are loud in their declamations against the departed regal tyrants, who in former ages have vexed the world. They are thus bold, because they are safe from the dungeons and iron cages of their old masters. Shall we be more tender of the tyrants of our own time, when we see them acting worse tragedies under our eyes? shall we not use the same liberty that they do, when we can use it with the same safety? when to speak honest truth only requires a contempt of the opinion of those whose actions we abhor?

This outrage on all the rights of property was at first covered with what, on the system of their conduct, was the most astonishing of all pretexts—a regard to national faith. The enemies to property at first pretended a most tender, delicate, and scrupulous anxiety for keeping the king's engagements with the public creditor. These professors of the rights of men are so busy in teaching others, that they have not leisure to learn anything themselves; otherwise they would have known that it is to the property of the citizen, and not to the demands of the creditor of the state, that the first and original faith of civil society is pledged. The claim of the citizen is prior in time, paramount in title, superior in equity. The fortunes of individuals, whether possessed by acquisition, or by descent, or in virtue of a participation in the goods of some community, were no part of the creditor's security, expressed or implied. They never so much as entered into his head when he made his bargain. He well knew that the public, whether represented by a monarch or by a senate, can pledge nothing but the public estate; and it can have no public estate, except in what it derives from a just and proportioned imposition upon the citizens at large. This was engaged, and nothing else could be engaged,

to the public creditor. No man can mortgage his injustice as a pawn for his fidelity.

It is impossible to avoid some observation on the contradictions caused by the extreme rigour and the extreme laxity of this new public faith, which influenced in this transaction, and which influenced not according to the nature of the obligation, but to the description of the persons to whom it was engaged. No acts of the old government of the kings of France are held valid in the National Assembly, except its pecuniary engagements; acts of all others of the most ambiguous legality. The rest of the acts of that royal government are considered in so odious a light, that to have a claim under its authority is looked on as a sort of crime. A pension, given as a reward for service to the state, is surely as good a ground of property as any security for money advanced to the state. It is a better; for money is paid, and well paid, to obtain that service. We have, however, seen multitudes of people under this description in France, who had never been deprived of their allowances by the most arbitrary ministers, in the most arbitrary times, by this assembly of the rights of men, robbed without mercy. They were told, in answer to their claim to the bread earned with their blood, that their services had not been rendered to the country that now exists.

This laxity of public faith is not confined to those unfortunate persons. The assembly, with perfect consistency it must be owned, is engaged in a respectable deliberation how far it is bound by the treaties made with other nations under the former government, and their committee is to report which of them they ought to ratify, and which not. By this means they have put the external fidelity of this virgin state on a par with its internal.

It is not easy to conceive upon what rational principle the royal government should not, of the two, rather have possessed the power of rewarding service, and making treaties, in virtue of its prerogative, than that

of pledging to creditors the revenue of the state, actual and possible. The treasure of the nation, of all things, has been the least allowed to the prerogative of the King of France, or to the prerogative of any king in Europe. To mortgage the public revenue implies the sovereign dominion, in the fullest sense, over the public purse. It goes far beyond the trust even of a temporary and occasional taxation. The acts, however, of that dangerous power (the distinctive mark of a boundless despotism) have been alone held sacred. Whence arose this preference given by a democratic assembly to a body of property deriving its title from the most critical and obnoxious of all the exertions of monarchical authority? Reason can furnish nothing to reconcile inconsistency; nor can partial favour be accounted for upon equitable principles. But the contradiction and partiality which admit no justification, are not the less without an adequate cause; and that cause I do not think it difficult to discover.

By the vast debt of France a great monied interest has insensibly grown up, and with it a great power. By the ancient usages which prevailed in that kingdom, the general circulation of property, and in particular the mutual convertibility of land into money, and of money into land, had always been a matter of difficulty. Family settlements, rather more general and more strict than they are in England, the *jus retractus*, the great mass of landed property held by the crown, and, by a maxim of the French law, held unalienably, the vast estates of the ecclesiastic corporations,—all these had kept the landed and monied interests more separated in France, less miscible, and the owners of the two distinct species of property not so well disposed to each other as they are in this country.

The monied property was long looked on with rather an evil eye by the people. They saw it connected with their distresses, and aggravating them. It was no less envied by the old landed interests, partly for the same reasons that rendered it obnoxious to the people, but

much more so as it eclipsed, by the splendour of an ostentatious luxury, the unendowed pedigrees and naked titles of several among the nobility. Even when the nobility, which represented the more permanent landed interest, united themselves by marriage (which sometimes was the case) with the other description, the wealth, which saved the family from ruin, was supposed to contaminate and degrade it. Thus the enmities and heart-burnings of these parties were increased even by the usual means by which discord is made to cease, and quarrels are turned into friendship. In the meantime, the pride of the wealthy men, not noble, or newly noble, increased with its cause. They felt with resentment an inferiority, the grounds of which they did not acknowledge. There was no measure to which they were not willing to lend themselves, in order to be revenged of the outrages of this rival pride, and to exalt their wealth to what they considered as its natural rank and estimation. They struck at the nobility through the crown and the church. They attacked them particularly on the side on which they thought them the most vulnerable, that is, the possessions of the church, which, through the patronage of the crown, generally devolved upon the nobility. The bishoprics, and the great commendatory abbeys, were, with few exceptions, held by that order.

In this state of real, though not always perceived, warfare between the noble ancient landed interest, and the new monied interest, the greatest, because the most applicable, strength was in the hands of the latter. The monied interest is in its nature more ready for any adventure; and its possessors more disposed to new enterprises of any kind. Being of a recent acquisition it falls in more naturally with any novelties. It is therefore the kind of wealth which will be resorted to by all who wish for change.

Along with the monied interest, a new description of men had grown up, with whom that interest soon formed a close and marked union; I mean the political men

of letters. Men of letters, fond of distinguishing themselves, are rarely averse to innovation. Since the decline of the life and greatness of Louis XIV, they were not so much cultivated either by him, or by the regent, or the successors to the crown; nor were they engaged to the courts by favours and emoluments so systematically as during the splendid period of that ostentatious and not impolitic reign. What they lost in the old court protection, they endeavoured to make up by joining in a sort of incorporation of their own; to which the two academies of France, and afterwards the vast undertaking of the Encyclopædia, carried on by a society of these gentlemen, did not a little contribute.

The literary cabal had some years ago formed something like a regular plan for the destruction of the Christian religion. This object they pursued with a degree of zeal which hitherto had been discovered only in the propagators of some system of piety. They were possessed with a spirit of proselytism in the most fanatical degree; and from thence, by an easy progress, with the spirit of persecution according to their means.* What was not to be done towards their great end by any direct or immediate act, might be wrought by a longer process through the medium of opinion. To command that opinion, the first step is to establish a dominion over those who direct it. They contrived to possess themselves, with great method and perseverance, of all the avenues to literary fame. Many of them indeed stood high in the ranks of literature and science. The world had done them justice; and in favour of general talents forgave the evil tendency of their peculiar principles. This was true liberality; which they returned by endeavouring to confine the reputation of sense, learning, and taste to themselves or their followers. I will venture to say that this narrow, exclusive spirit has not been less prejudicial to literature and to taste,

* This (down to the end of the first sentence in the next paragraph) and some other parts here and there, were inserted, on his reading the manuscript, by my lost Son.

than to morals and true philosophy. Those atheistical fathers have a bigotry of their own; and they have learnt to talk against monks with the spirit of a monk. But in some things they are men of the world. The resources of intrigue are called in to supply the defects of argument and wit. To this system of literary monopoly was joined an unremitting industry to blacken and discredit in every way, and by every means, all those who did not hold to their faction. To those who have observed the spirit of their conduct, it has long been clear that nothing was wanted but the power of carrying the intolerance of the tongue and of the pen into a persecution which would strike at property, liberty, and life.

The desultory and faint persecution carried on against them, more from compliance with form and decency, than with serious resentment, neither weakened their strength, nor relaxed their efforts. The issue of the whole was, that, what with opposition, and what with success, a violent and malignant zeal, of a kind hitherto unknown in the world, had taken an entire possession of their minds, and rendered their whole conversation, which otherwise would have been pleasing and instructive, perfectly disgusting. A spirit of cabal, intrigue, and proselytism, pervaded all their thoughts, words, and actions. And, as controversial zeal soon turns its thoughts on force, they began to insinuate themselves into a correspondence with foreign princes; in hopes, through their authority, which at first they flattered, they might bring about the changes they had in view. To them it was indifferent whether these changes were to be accomplished by the thunderbolt of despotism, or by the earthquake of popular commotion. The correspondence between this cabal and the late King of Prussia will throw no small light upon the spirit of all their proceedings.* For the same purpose for which they intrigued with princes, they cultivated, in a dis-

* I do not choose to shock the feeling of the moral reader with any quotation of their vulgar, base, and profane language.

tinguished manner, the monied interest of France ; and partly through the means furnished by those whose peculiar offices gave them the most extensive and certain means of communication, they carefully occupied all the avenues to opinion.

Writers, especially when they act in a body, and with one direction, have great influence on the public mind ; the alliance, therefore, of these writers with the monied interest * had no small effect in removing the popular odium and envy which attended that species of wealth. These writers, like the propagators of all novelties, pretended to a great zeal for the poor, and the lower orders, whilst in their satires they rendered hateful, by every exaggeration, the faults of courts, of nobility, and of priesthood. They became a sort of demagogues. They served as a link to unite, in favour of one object, obnoxious wealth to restless and desperate poverty.

As these two kinds of men appear principal leaders in all the late transactions, their junction and politics will serve to account, not upon any principles of law or of policy, but as a *cause*, for the general fury with which all the landed property of ecclesiastical corporations has been attacked ; and the great care which, contrary to their pretended principles, has been taken, of a monied interest originating from the authority of the crown. All the envy against wealth and power was artificially directed against other descriptions of riches. On what other principle than that which I have stated can we account for an appearance so extraordinary and unnatural as that of the ecclesiastical possessions, which had stood so many succession of ages and shocks of civil violences, and were guarded at once by justice, and by prejudice, being applied to the payment of debts, comparatively recent, invidious, and contracted by a decried and subverted government ?

Was the public estate a sufficient stake for the public debts ? Assume that it was not, and that a loss *must*

* Their connexion with Turgot and almost all the people of the finance.

be incurred somewhere.—When the only estate lawfully possessed, and which the contracting parties had in contemplation at the time in which their bargain was made, happens to fail, who, according to the principles of natural and legal equity, ought to be the sufferer? Certainly it ought to be either the party who trusted, or the party who persuaded him to trust; or both; and not third parties who had no concern with the transaction. Upon any insolvency they ought to suffer who were weak enough to lend upon bad security, or they who fraudulently held out a security that was not valid. Laws are acquainted with no other rules of decision. But by the new institute of the rights of men, the only persons who in equity ought to suffer, are the only persons who are to be saved harmless: those are to answer the debt who neither were lenders nor borrowers, mortgagors nor mortgagees.

What had the clergy to do with these transactions? What had they to do with any public engagement further than the extent of their own debt? To that, to be sure, their estates were bound to the last acre. Nothing can lead more to the true spirit of the assembly, which fits for public confiscation, with its new equity, and its new morality, than an attention to their proceeding with regard to this debt of the clergy. The body of confiscators, true to that monied interest for which they were false to every other, have found the clergy competent to incur a legal debt. Of course they declared them legally entitled to the property which their power of incurring the debt and mortgaging the estate implied; recognizing the rights of those persecuted citizens, in the very act in which they were thus grossly violated.

If, as I said, any persons are to make good deficiencies to the public creditor, besides the public at large, they must be those who managed the agreement. Why, therefore, are not the estates of all the comptrollers-general confiscated? * Why not those of the long suc-

* All have been confiscated in their turn.

cession of ministers, financiers, and bankers who have been enriched whilst the nation was impoverished by their dealings and their counsels? Why is not the estate of Mr. Laborde declared forfeited rather than of the Archbishop of Paris, who has had nothing to do in the creation or in the jobbing of the public funds? Or, if you must confiscate old landed estates in favour of the money-jobbers, why is the penalty confined to one description? I do not know whether the expenses of the Duke de Choiseul have left anything of the infinite sums which he had derived from the bounty of his master, during the transactions of a reign which contributed largely, by every species of prodigality in war and peace, to the present debt of France. If any such remains, why is not this confiscated? I remember to have been in Paris during the time of the old government. I was there just after the Duke d'Aiguillon had been snatched (as it was generally thought) from the block by the hand of a protecting despotism. He was a minister, and had some concern in the affairs of that prodigal period. Why do I not see his estate delivered up to the municipalities in which it is situated? The noble family of Noailles have long been servants (meritorious servants I admit) to the crown of France, and have had of course some share in its bounties. Why do I hear nothing of the application of their estates to the public debt? Why is the estate of the Duke de Rochefoucault more sacred than that of the Cardinal de Rochefoucault? The former is, I doubt not, a worthy person; and (if it were not a sort of profaneness to talk of the use, as affecting the title to property) he makes a good use of his revenues; but it is no disrespect to him to say, what authentic information well warrants me in saying, that the use made of a property equally valid, by his brother * the Cardinal Archbishop of Rouen was far more laudable and far more public-spirited. Can one hear of the proscription of such persons, and

* Not his brother, nor any near relation; but this mistake does not affect the argument.

the confiscation of their effects, without indignation and horror? He is not a man who does not feel such emotions on such occasions. He does not deserve the name of a free man who will not express them.

Few barbarous conquerors have ever made so terrible a revolution in property. None of the heads of the Roman factions, when they established '*crudelem illam hastam*' in all their auctions of rapine, have ever set up to sale the goods of the conquered citizen to such an enormous amount. It must be allowed in favour of those tyrants of antiquity, that what was done by them could hardly be said to be done in cold blood. Their passions were inflamed, their tempers soured, their understandings confused, with the spirit of revenge, with the innumerable reciprocated and recent inflictions and retaliations of blood and rapine. They were driven beyond all bounds of moderation by the apprehension of the return of power with the return of property, to the families of those they had injured beyond all hope of forgiveness.

These Roman confiscators, who were yet only in the elements of tyranny, and were not instructed in the rights of men to exercise all sorts of cruelties on each other without provocation, thought it necessary to spread a sort of colour over their injustice. They considered the vanquished party as composed of traitors who had borne arms, or otherwise had acted with hostility against the commonwealth. They regarded them as persons who had forfeited their property by their crimes. With you, in your improved state of the human mind, there was no such formality. You seized upon five millions sterling of annual rent, and turned forty or fifty thousand human creatures out of their houses, because 'such was your pleasure.' The tyrant Harry VIII of England, as he was not better enlightened than the Roman Marius's and Syllas, and had not studied in your new schools, did not know what an effectual instrument of despotism was to be found in that grand magazine of offensive weapons, the rights of

men. When he resolved to rob the abbeyes, as the club of the Jacobins have robbed all the ecclesiastics, he began by setting on foot a commission to examine into the crimes and abuses which prevailed in those communities. As it might be expected, his commission reported truths, exaggerations, and falsehoods. But truly or falsely it reported abuses and offences. However, as abuses might be corrected, as every crime of persons does not infer a forfeiture with regard to communities, and as property, in that dark age, was not discovered to be a creature of prejudice, all those abuses (and there were enow of them) were hardly thought sufficient ground for such a confiscation as it was for his purpose to make. He therefore procured the formal surrender of these estates. All these operose proceedings were adopted by one of the most decided tyrants in the rolls of history, as necessary preliminaries, before he could venture, by bribing the members of his two servile Houses with a share of the spoil, and holding out to them an eternal immunity from taxation, to demand a confirmation of his iniquitous proceedings by an act of parliament. Had fate reserved him to our times, four technical terms would have done his business, and saved him all this trouble; he needed nothing more than one short form of incantation,—‘*Philosophy, Light, Liberality, the Rights of Men.*’

I can say nothing in praise of those acts of tyranny, which no voice has hitherto ever commended under any of their false colours; yet in these false colours a homage was paid by despotism to justice. The power which was above all fear and all remorse was not set above all shame. Whilst shame keeps its watch virtue is not wholly extinguished in the heart; nor will moderation be utterly exiled from the minds of tyrants.

I believe every honest man sympathizes in his reflections with our political poet on that occasion, and will pray to avert the omen whenever these acts of rapacious despotism present themselves to his view or his imagination:

. . . 'May no such storm
 Fall on our times, where ruin must reform.
 Tell me (my Muse) what monstrous, dire offence,
 What crimes could any Christian king incense
 To such a rage? Was't luxury, or lust?
 Was *he* so temperate, so chaste, so just?
 Were these their crimes? they were his own much more,
 But wealth is crime enough to him that's poor.' *

This same wealth, which is at all times treason and *lèse nation* to indigent and rapacious despotism, under all modes of polity, was your temptation to violate property, law, and religion, united in one object. But was the state of France so wretched and undone, that no

* The rest of the passage is this :

'Who having spent the treasures of his crown,
 Condemns their luxury to feed his own.
 And yet this act, to varnish o'er the shame
 Of sacrilege, must bear devotion's name.
 No crime so bold, but would be understood
 A real, or at least a seeming good ;
 Who fears not to do ill, yet fears the name,
 And, free from conscience, is a slave to fame.
 Thus he the church at once protects, and spoils :
 But princes' swords are sharper than their styles.
 And thus to th' ages past he makes amends,
 Their charity destroys, their faith defends.
 Then did religion in a lazy cell,
 In empty æry contemplation dwell ;
 And like the block, unmoved lay ; but ours,
 As much too active, like the stork devours.
 Is there no temp'rate region can be known,
 Betwixt their frigid, and our torrid zone !
 Could we not wake from that lethargic dream,
 But to be restless in a worse extreme ?
 And for that lethargy was there no cure,
 But to be cast into a calenture ?
 Can knowledge have no bound, but must advance
 So far, to make us wish for ignorance ?
 And rather in the dark to grope our way,
 Than, led by a false guide, to err, by day ?
 Who sees these dismal heaps, but would demand
 What barbarous invader sack'd the land ?
 But when he hears, no Goth, no Turk did bring
 This desolation, but a Christian king ;
 When nothing, but the name of zeal, appears
 'Twixt our best actions, and the worst of theirs ;
 What does he think our sacrilege would spare,
 When such th' effects of our devotion are ?'

COOPER'S HILL, by Sir JOHN DENHAM.

other resource but rapine remained to preserve its existence? On this point I wish to receive some information. When the states met, was the condition of the finances of France such, that, after economizing on principles of justice and mercy through all departments, no fair repartition of burdens upon all the orders could possibly restore them? If such an equal imposition would have been sufficient, you well know it might easily have been made. Mr. Necker, in the budget which he laid before the orders assembled at Versailles, made a detailed exposition of the state of the French nation.*

If we give credit to him, it was not necessary to have recourse to any new impositions whatsoever, to put the receipts of France on a balance with its expenses. He stated the permanent charges of all descriptions, including the interest of a new loan of four hundred millions, at 531,444,000 livres; the fixed revenue at 475,294,000, making the deficiency 56,150,000, or short of 2,200,000*l.* sterling. But to balance it, he brought forward savings and improvements of revenue (considered as entirely certain) to rather more than to the amount of that deficiency; and he concludes with these emphatical words (p. 39), '*Quel pays, Messieurs, que celui, où, sans impôts et avec de simples objets inapperçus, on peut faire disparaître un déficit qui a fait tant de bruit en Europe.*' As to the reimbursement, the sinking of debt, and the other great objects of public credit and political arrangement indicated in Monsieur Necker's speech, no doubt could be entertained, but that a very moderate and proportioned assessment on the citizens without distinction would have provided for all of them to the fullest extent of their demand.

If this representation of Mons. Necker was false, then the assembly are in the highest degree culpable for having forced the king to accept as his minister, and since the king's deposition, for having employed, as *their*

* Rapport de Mons. le Directeur-Général des Finances, fait par ordre du Roi à Versailles. Mai 5, 1789.

minister, a man who had been capable of abusing so notoriously the confidence of his master and their own ; in a matter too of the highest moment, and directly appertaining to his particular office. But if the representation was exact (as having always, along with you, conceived a high degree of respect for Mr. Necker, I make no doubt it was), then what can be said in favour of those, who instead of moderate, reasonable, and general contribution, have in cold blood, and impelled by no necessity, had recourse to a partial and cruel confiscation ?

Was that contribution refused on a pretext of privilege, either on the part of the clergy, or on that of the nobility ? No certainly. As to the clergy, they even ran before the wishes of the third order. Previous to the meeting of the states, they had in all their instructions expressly directed their deputies to renounce every immunity, which put them upon a footing distinct from the condition of their fellow-subjects. In this renunciation the clergy were even more explicit than the nobility.

But let us suppose that the deficiency had remained at the fifty-six millions, (or 2,200,000*l.* sterling), as at first stated by Mr. Necker. Let us allow that all the resources he opposed to that deficiency were impudent and groundless fictions ; and that the assembly (or their lords of articles * at the Jacobins) were from thence justified in laying the whole burden of that deficiency on the clergy,—yet allowing all this, a necessity of 2,200,000*l.* sterling will not support a confiscation to the amount of five millions. The imposition of 2,200,000*l.* on the clergy, as partial, would have been oppressive and unjust, but it would not have been altogether ruinous to those on whom it was imposed ; and therefore it would not have answered the real purpose of the managers.

* In the constitution of Scotland, during the Stuart reigns, a committee sat for preparing bills : and none could pass but those previously approved by them. This committee was called lords of articles.

Perhaps persons, unacquainted with the state of France, on hearing the clergy and the noblesse were privileged in point of taxation, may be led to imagine that, previous to the Revolution, these bodies had contributed nothing to the state. This is a great mistake. They certainly did not contribute equally with each other, nor either of them equally with the commons. They both, however, contributed largely. Neither nobility nor clergy enjoyed any exemption from the excise on consumable commodities, from duties of custom, or from any of the other numerous *indirect* impositions, which in France, as well as here, make so very large a proportion of all payments to the public. The noblesse paid the capitation. They paid also a land-tax, called the twentieth penny, to the height sometimes of three, sometimes of four shillings in the pound; both of them *direct* impositions of no light nature, and no trivial produce. The clergy of the provinces annexed by conquest to France, (which in extent make about an eighth part of the whole, but in wealth a much larger proportion,) paid likewise to the capitation and the twentieth penny, at the rate paid by the nobility. The clergy in the old provinces did not pay the capitation; but they had redeemed themselves at the expense of about twenty-four millions, or a little more than a million sterling. They were exempted from the twentieths: but then they made free gifts; they contracted debts for the state; and they were subject to some other charges, the whole computed at about a thirteenth part of their clear income. They ought to have paid annually about forty thousand pounds more, to put them on a par with the contribution of the nobility.

When the terrors of this tremendous proscription hung over the clergy, they made an offer of a contribution, through the Archbishop of Aix, which, for its extravagance, ought not to have been accepted. But it was evidently and obviously more advantageous to the public creditor, than anything which could ration-

ally be promised by the confiscation. Why was it not accepted? The reason is plain—There was no desire that the church should be brought to serve the state. The service of the state was made a pretext to destroy the church. In their way to the destruction of the church they would not scruple to destroy their country : and they have destroyed it. One great end in the project would have been defeated, if the plan of extortion had been adopted in lieu of the scheme of confiscation. The new landed interest connected with the new republic, and connected with it for its very being, could not have been created. This was among the reasons why that extravagant ransom was not accepted.

The madness of the project of confiscation, on the plan that was first pretended, soon became apparent. To bring this unwieldy mass of landed property, enlarged by the confiscation of all the vast landed domain of the crown, at once into market, was obviously to defeat the profits proposed by the confiscation, by depreciating the value of those lands, and indeed of all the landed estates throughout France. Such a sudden diversion of all its circulating money from trade to land must be an additional mischief. What step was taken? Did the assembly, on becoming sensible of the inevitable ill effects of their projected sale, revert to the offers of the clergy? No distress could oblige them to travel in a course which was disgraced by any appearance of justice. Giving over all hopes from a general immediate sale, another project seems to have succeeded. They proposed to take stock in exchange for the church lands. In that project great difficulties arose in equalizing the objects to be exchanged. Other obstacles also presented themselves, which threw them back again upon some project of sale. The municipalities had taken an alarm. They would not hear of transferring the whole plunder of the kingdom to the stockholders in Paris. Many of those municipalities had been (upon system) reduced to the most deplorable indigence. Money was nowhere to be seen. They

were therefore led to the point that was so ardently desired. They panted for a currency of any kind which might revive their perishing industry. The municipalities were then to be admitted to a share in the spoil, which evidently rendered the first scheme (if ever it had been seriously entertained) altogether impracticable. Public exigencies pressed upon all sides. The minister of finance reiterated his call for supply with a most urgent, anxious, and boding voice. Thus pressed on all sides, instead of the first plan of converting their bankers into bishops and abbots, instead of paying the old debt, they contracted a new debt, at three per cent., creating a new paper currency, founded on an eventual sale of the church lands. They issued this paper currency to satisfy in the first instance chiefly the demands made upon them by the *bank of discount*, the great machine, or paper-mill of their fictitious wealth.

The spoil of the church was now become the only resource of all their operations in finance, the vital principle of all their politics, the sole security for the existence of their power. It was necessary by all, even the most violent means, to put every individual on the same bottom, and to bind the nation in one guilty interest to uphold this act, and the authority, of those by whom it was done. In order to force the most reluctant into a participation of their pillage, they rendered their paper circulation compulsory in all payments. Those who consider the general tendency of their schemes to this one object as a centre, and a centre from which afterwards all their measures radiate, will not think that I dwell too long upon this part of the proceedings of the National Assembly.

To cut off all appearance of connexion between the crown and public justice, and to bring the whole under implicit obedience to the dictators in Paris, the old independent judicature of the parliaments, with all its merits, and all its faults, was wholly abolished. Whilst the parliaments existed, it was evident that the people might some time or other come to resort to them, and

rally under the standard of their ancient laws. It became, however, a matter of consideration that the magistrates and officers, in the courts now abolished, *had purchased their places* at a very high rate, for which as well as for the duty they performed, they received but a very low return of interest. Simple confiscation is a boon only for the clergy;—to the lawyers some appearances of equity are to be observed;—and they are to receive compensation to an immense amount. Their compensation becomes part of the national debt, for the liquidation of which there is the one exhaustless fund. The lawyers are to obtain their compensation in this new church paper, which is to march with the new principles of judicature and legislature. The dismissed magistrates are to take their share of martyrdom with the ecclesiastics, or to receive their own property from such a fund, and in such a manner, as all those, who have been seasoned with the ancient principles of jurisprudence, and had been the sole guardians of property, must look upon with horror. Even the clergy are to receive their miserable allowance out of the depreciated paper, which is stamped with the indelible character of sacrilege, and with the symbols of their own ruin, or they must starve. So violent an outrage upon credit, property, and liberty, as this compulsory paper currency, has seldom been exhibited by the alliance of bankruptcy and tyranny, at any time, or in any nation.

In the course of all these operations, at length comes out the grand *arcanum*;—that in reality, and in a fair sense, the lands of the church (so far as anything certain can be gathered from their proceedings) are not to be sold at all. By the late resolutions of the National Assembly, they are indeed to be delivered to the highest bidder. But it is to be observed, that *a certain portion only of the purchase money is to be laid down*. A period of twelve years is to be given for the payment of the rest. The philosophic purchasers are therefore, on payment of a sort of fine, to be put instantly into posses-

sion of the estate. It becomes in some respects a sort of gift to them ; to be held on the feudal tenure of zeal to the new establishment. This project is evidently to let in a body of purchasers without money. The consequence will be, that these purchasers, or rather guarantees, will pay, not only from the rents as they accrue, which might as well be received by the state, but from the spoil of the materials of buildings, from waste in woods, and from whatever money, by hands habituated to the gripings of usury, they can wring from the miserable peasant. He is to be delivered over to the mercenary and arbitrary discretion of men, who will be stimulated to every species of extortion by the growing demands on the growing profits of an estate held under the precarious settlement of a new political system.

When all the frauds, impostures, violences, rapines, burnings, murders, confiscations, compulsory paper currencies, and every description of tyranny and cruelty employed to bring about and to uphold this Revolution, have their natural effect, that is, to shock the moral sentiments of all virtuous and sober minds, the abettors of this philosophic system immediately strain their throats in a declamation against the old monarchical government of France. When they have rendered that deposed power sufficiently black, they then proceed in argument, as if all those who disapprove of their new abuses must of course be partisans of the old ; that those who reprobate their crude and violent schemes of liberty ought to be treated as advocates for servitude. I admit that their necessities do compel them to this base and contemptible fraud. Nothing can reconcile men to their proceedings and projects but the supposition that there is no third option between them and some tyranny as odious as can be furnished by the records of history, or by the invention of poets. This prattling of theirs hardly deserves the name of sophistry. It is nothing but plain impudence. Have these gentlemen never heard, in the whole circle of the worlds of

theory and practice, of anything between the despotism of the monarch and the despotism of the multitude? Have they never heard of a monarchy directed by laws, controlled and balanced by the great hereditary wealth and hereditary dignity of a nation; and both again controlled by a judicious check from the reason and feeling of the people at large, acting by a suitable and permanent organ? Is it then impossible that a man may be found who, without criminal ill intention, or pitiable absurdity, shall prefer such a mixed and tempered government to either of the extremes; and who may repute that nation to be destitute of all wisdom and of all virtue, which, having in its choice to obtain such a government with ease, *or rather to confirm it when actually possessed*, thought proper to commit a thousand crimes, and to subject their country to a thousand evils, in order to avoid it? Is it then a truth so universally acknowledged, that a pure democracy is the only tolerable form into which human society can be thrown, that a man is not permitted to hesitate about its merits, without the suspicion of being a friend to tyranny, that is, of being a foe to mankind?

I do not know under what description to class the present ruling authority in France. It affects to be pure democracy, though I think it in a direct train of becoming shortly a mischievous and ignoble oligarchy. But for the present I admit it to be a contrivance of the nature and effect of what it pretends to. I reprobate no form of government merely upon abstract principles. There may be situations in which the purely democratic form will become necessary. There may be some (very few, and very particularly circumstanced) where it would be clearly desirable. This I do not take to be the case of France, or of any other great country. Until now, we have seen no examples of considerable democracies. The ancients were better acquainted with them. Not being wholly unread in the authors, who had seen the most of those constitutions, and who best understood them, I cannot help concurring with

their opinion, that an absolute democracy, no more than absolute monarchy, is to be reckoned among the legitimate forms of government. They think it rather the corruption and degeneracy, than the sound constitution of a republic. If I recollect rightly, Aristotle observes, that a democracy has many striking points of resemblance with tyranny.* Of this I am certain, that in a democracy, the majority of the citizens is capable of exercising the most cruel oppressions upon the minority, whenever strong divisions prevail in that kind of polity, as they often must ; and that oppression of the minority will extend to far greater numbers, and will be carried on with much greater fury, than can almost ever be apprehended from the dominion of a single sceptre. In such a popular persecution, individual sufferers are in a much more deplorable condition than in any other. Under a cruel prince they have the balmy compassion of mankind to assuage the smart of their wounds ; they have the plaudits of the people to animate their generous constancy under their sufferings ; but those who are subjected to wrong under multitudes, are deprived of all external consolation. They seem deserted by mankind, overpowered by a conspiracy of their whole species.

But admitting democracy not to have that inevitable

* When I wrote this I quoted from memory, after many years had elapsed from my reading the passage. A learned friend has found it, and it is as follows :

Τὸ ἦθος τὸ αὐτὸ, καὶ ἄμφω δεσποτικὰ τῶν βελτιόνων, καὶ τὰ ψηφίσματα, ὥσπερ ἐκεῖ τὰ ἐπιτάγματα· καὶ ὁ δημαγωγὸς καὶ ὁ κόλαξ, οἱ αὐτοὶ καὶ ἀνάλογοι· καὶ μάλιστα ἑκάτεροι παρ' ἑκατέροις ἰσχύουσιν, οἱ μὲν κόλακες παρὰ τυράννοις, οἱ δὲ δημαγωγοὶ παρὰ τοῖς δήμοις τοῖς τοιοῦτοις—

'The ethical character is the same : both exercise despotism over the better class of citizens ; and decrees are in the one, what ordinances and arrêts are in the other : the demagogue too, and the court favourite, are not unfrequently the same identical men, and always bear a close analogy ; and these have the principal power, each in their respective forms of government, favourites with the absolute monarch, and demagogues with a people such as I have described.' Arist. Politic. lib. iv. cap. 4.

tendency to party tyranny, which I suppose it to have, and admitting it to possess as much good in it when unmixed, as I am sure it possesses when compounded with other forms ; does monarchy, on its part, contain nothing at all to recommend it ? I do not often quote Bolingbroke, nor have his works in general left any permanent impression on my mind. He is a presumptuous and a superficial writer. But he has one observation, which, in my opinion, is not without depth and solidity. He says, that he prefers a monarchy to other governments ; because you can better ingraft any description of republic on a monarchy, than anything of monarchy upon the republican forms. I think him perfectly in the right. The fact is so historically ; and it agrees well with the speculation.

I know how easy a topic it is to dwell on the faults of departed greatness. By a revolution in the state, the fawning sycophant of yesterday is converted into the austere critic of the present hour. But steady, independent minds, when they have an object of so serious a concern to mankind as government under their contemplation, will disdain to assume the part of satirists and declaimers. They will judge of human institutions as they do of human characters. They will sort out the good from the evil, which is mixed in mortal institutions, as it is in mortal men.

Your government in France, though usually, and I think justly, reputed the best of the unqualified or ill-qualified monarchies, was still full of abuses. These abuses accumulated in a length of time, as they must accumulate in every monarchy not under the constant inspection of a popular representative. I am no stranger to the faults and defects of the subverted government of France ; and I think I am not inclined by nature or policy to make a panegyric upon anything which is a just and natural object of censure. But the question is not now of the vices of that monarchy, but of its existence. Is it then true, that the French government was such as to be incapable or undeserving of

reform ; so that it was of absolute necessity that the whole fabric should be at once pulled down, and the area cleared for the erection of a theoretic, experimental edifice in its place? All France was of a different opinion in the beginning of the year 1789. The instructions to the representatives to the states-general, from every district in that kingdom, were filled with projects for the reformation of that government, without the remotest suggestion of a design to destroy it. Had such a design been then even insinuated, I believe there would have been but one voice, and that voice for rejecting it with scorn and horror. Men have been sometimes led by degrees, sometimes hurried, into things of which, if they could have seen the whole together, they never would have permitted the most remote approach. When those instructions were given, there was no question but that abuses existed, and that they demanded a reform ; nor is there now. In the interval between the instructions and the revolution, things changed their shape ; and, in consequence of that change, the true question at present is, whether those who would have reformed, or those who have destroyed, are in the right ?

To hear some men speak of the late monarchy of France, you would imagine that they were talking of Persia bleeding under the ferocious sword of Tahmas Kouli Khân ; or at least describing the barbarous anarchic despotism of Turkey, where the finest countries in the most genial climates in the world are wasted by peace more than any countries have been worried by war ; where arts are unknown, where manufactures languish, where science is extinguished, where agriculture decays, where the human race itself melts away and perishes under the eye of the observer. Was this the case of France? I have no way of determining the question but by a reference to facts. Facts do not support this resemblance. Along with much evil, there is some good in monarchy itself ; and some corrective to its evil from religion, from laws, from manners, from

opinions, the French monarchy must have received ; which rendered it (though by no means a free, and therefore by no means a good constitution) a despotism rather in appearance than in reality.

Among the standards upon which the effects of government on any country are to be estimated, I must consider the state of its population as not the least certain. No country in which population flourishes, and is in progressive improvement, can be under a *very* mischievous government. About sixty years ago the Intendants of the generalities of France made, with other matters, a report of the population of their several districts. I have not the books, which are very voluminous, by me, nor do I know where to procure them (I am obliged to speak by memory and therefore the less positively), but I think the population of France was by them, even at that period, estimated at twenty-two millions of souls. At the end of the last century it had been generally calculated at eighteen. On either of these estimations, France was not ill-peopled. Mr. Necker, who is an authority for his own time at least equal to the Intendants for theirs, reckons, and upon apparently sure principles, the people of France, in the year 1780, at twenty-four millions six hundred and seventy thousand. But was this the probable ultimate term under the old establishment? Dr. Price is of opinion that the growth of population in France was by no means at its *acmé* in that year. I certainly defer to Dr. Price's authority a good deal more in these speculations than I do in his general politics. This gentleman, taking ground on Mr. Necker's data, is very confident that since the period of that minister's calculation, the French population has increased rapidly ; so rapidly, that in the year 1789 he will not consent to rate the people of that kingdom at a lower number than thirty millions. After abating much (and much I think ought to be abated) from the sanguine calculation of Dr. Price, I have no doubt that the population of France did increase considerably during this latter period :

but supposing that it increased to nothing more than will be sufficient to complete the twenty-four millions six hundred and seventy thousand to twenty-five millions, still a population of twenty-five millions, and that in an increasing progress, on a space of about twenty-seven thousand square leagues, is immense. It is, for instance, a good deal more than the proportionable population of this island, or even than that of England, the best peopled part of the United Kingdom.

It is not universally true that France is a fertile country. Considerable tracts of it are barren and labour under other natural disadvantages. In the portions of that territory where things are more favourable, as far as I am able to discover, the numbers of the people correspond to the indulgence of nature.* The Generality of Lisle (this I admit is the strongest example) upon an extent of four hundred and four leagues and a half, about ten years ago, contained seven hundred and thirty-four thousand six hundred souls, which is one thousand seven hundred and seventy-two inhabitants to each square league. The middle term for the rest of France is about nine hundred inhabitants to the same admeasurement.

I do not attribute this population to the deposed government; because I do not like to compliment the contrivances of men with what is due in a great degree to the bounty of Providence. But that decried government could not have obstructed, most probably it favoured, the operation of those causes, (whatever they were) whether of nature in the soil, or habits of industry among the people, which has produced so large a number of the species throughout that whole kingdom, and exhibited in some particular places such prodigies of population. I never will suppose that fabric of a state to be the worst of all political institutions, which, by experience, is found to contain a principle favourable (however latent it may be) to the increase of mankind.

* De l'Administration des Finances de la France, par Mons. Necker, vol. i. p. 288.

The wealth of a country is another, and no contemptible standard, by which we may judge whether, on the whole, a government be protecting or destructive. France far exceeds England in the multitude of her people; but I apprehend that her comparative wealth is much inferior to ours; that it is not so equal in the distribution, nor so ready in the circulation. I believe the difference in the form of the two governments to be amongst the causes of this advantage on the side of England. I speak of England, not of the whole British dominions: which, if compared with those of France, will, in some degree, weaken the comparative rate of wealth upon our side. But that wealth, which will not endure a comparison with the riches of England, may constitute a very respectable degree of opulence. Mr. Necker's book, published in 1785,* contains an accurate and interesting collection of facts relative to public economy and to political arithmetic; and his speculations on the subject are in general wise and liberal. In that work he gives an idea of the state of France, very remote from the portrait of a country whose government was a perfect grievance, an absolute evil admitting no cure but through the violent and uncertain remedy of a total revolution. He affirms, that from the year 1726 to the year 1784, there was coined at the mint of France, in the species of gold and silver, to the amount of about one hundred millions of pounds sterling.†

It is impossible that Mr. Necker should be mistaken in the amount of the bullion which has been coined in the mint. It is a matter of official record. The reasonings of this able financier, concerning the quantity of gold and silver which remained for circulation, when he wrote in 1785, that is, about four years before the deposition and imprisonment of the French king, are not of equal certainty; but they are laid on grounds so apparently solid, that it is not easy to refuse a consider-

* De l'Administration des Finances de la France, par Mons. Necker.

† Ibid., vol. iii. chap. 8 and chap. 9.

able degree of assent to his calculation. He calculates the *numéraire*, or what we call *specie*, then actually existing in France, at about eighty-eight millions of the same English money. A great accumulation of wealth for one country, large as that country is! Mr. Necker was so far from considering this influx of wealth as likely to cease, when he wrote in 1785, that he presumes upon a future annual increase of two per cent. upon the money brought into France during the periods from which he computed.

Some adequate cause must have originally introduced all the money coined at its mint into that kingdom; and some cause as operative must have kept at home, or returned into its bosom, such a vast flood of treasure as Mr. Necker calculates to remain for domestic circulation. Suppose any reasonable deductions from Mr. Necker's computation, the remainder must still amount to an immense sum. Causes thus powerful to acquire, and to retain, cannot be found in discouraged industry, insecure property, and a positively destructive government. Indeed, when I consider the face of the kingdom of France; the multitude and opulence of her cities; the useful magnificence of her spacious high roads and bridges; the opportunity of her artificial canals and navigations opening the conveniences of maritime communication through a solid continent of so immense an extent; when I turn my eyes to the stupendous works of her ports and harbours, and to her whole naval apparatus, whether for war or trade; when I bring before my view the number of her fortifications, constructed with so bold and masterly a skill, and made and maintained at so prodigious a charge, presenting an armed front and impenetrable barrier to her enemies upon every side; when I recollect how very small a part of that extensive region is without cultivation, and to what complete perfection the culture of many of the best productions of the earth have been brought in France; when I reflect on the excellence of her manufactures and fabrics, second to none but ours, and

in some particulars not second ; when I contemplate the grand foundations of charity, public and private ; when I survey the state of all the arts that beautify and polish life ; when I reckon the men she has bred for extending her fame in war, her able statesmen, the multitude of her profound lawyers and theologians, her philosophers, her critics, her historians and antiquaries, her poets and her orators, sacred and profane ; I behold in all this something which awes and commands the imagination, which checks the mind on the brink of precipitate and indiscriminate censure, and which demands that we should very seriously examine, what and how great are the latent vices that could authorize us at once to level so specious a fabric with the ground. I do not recognize, in this view of things, the despotism of Turkey. Nor do I discern the character of a government, that has been, on the whole, so oppressive, or so corrupt, or so negligent, as to be utterly unfit *for all reformation*. I must think such a government well deserved to have its excellences heightened, its faults corrected, and its capacities improved into a British constitution.

Whoever has examined into the proceedings of that deposed government for several years back cannot fail to have observed, amidst the inconstancy and fluctuation natural to courts, an earnest endeavour towards the prosperity and improvement of the country ; he must admit that it had been long employed, in some instances, wholly to remove, in many considerably to correct, the abusive practices and usages that had prevailed in the state ; and that even the unlimited power of the sovereign over the persons of his subjects, inconsistent, as undoubtedly it was, with law and liberty, had yet been every day growing more mitigated in the exercise. So far from refusing itself to reformation, that government was open, with a censurable degree of facility, to all sorts of projects and projectors on the subject. Rather too much countenance was given to the spirit of innovation, which soon was turned against those

who fostered it, and ended in their ruin. It is but cold, and no very flattering justice to that fallen monarchy, to say, that, for many years, it trespassed more by levity and want of judgment in several of its schemes, than from any defect in diligence or in public spirit. To compare the government of France for the last fifteen or sixteen years with wise and well-constituted establishments during that, or during any period, is not to act with fairness. But if in point of prodigality in the expenditure of money, or in point of rigour in the exercise of power, it be compared with any of the former reigns, I believe candid judges will give little credit to the good intentions of those who dwell perpetually on the donations to favourites, or on the expenses of the court, or on the horrors of the Bastile, in the reign of Louis the Sixteenth.*

Whether the system, if it deserves such a name, now built on the ruins of that ancient monarchy, will be able to give a better account of the population and wealth of the country, which it has taken under its care, is a matter very doubtful. Instead of improving by the change, I apprehend that a long series of years must be told, before it can recover in any degree the effects of this philosophic Revolution, and before the nation can be replaced on its former footing. If Dr. Price should think fit, a few years hence, to favour us with an estimate of the population of France, he will hardly be able to make up his tale of thirty millions of souls, as computed in 1789, or the assembly's computation of twenty-six millions of that year; or even Mr. Necker's twenty-five millions in 1780. I hear that there are considerable emigrations from France; and that many, quitting that voluptuous climate, and that seductive *Circean* liberty, have taken refuge in the frozen regions, and under the British despotism of Canada.

* The world is obliged to Mr. de Calonne for the pains he has taken to refute the scandalous exaggerations relative to some of the royal expenses, and to detect the fallacious account given of pensions, for the wicked purpose of provoking the populace to all sorts of crimes.

In the present disappearance of coin, no person could think it the same country, in which the present minister of the finances has been able to discover fourscore millions sterling in species. From its general aspect one would conclude that it had been for some time past under the special direction of the learned academicians of Laputa and Balnibarbi.* Already the population of Paris has so declined, that Mr. Necker stated to the National Assembly the provision to be made for its subsistence at a fifth less than what [had formerly been found requisite.† It is said (and I have never heard it contradicted) that a hundred thousand people are out of employment in that city, though it is become the seat of the imprisoned court and National Assembly. Nothing, I am credibly informed, can exceed the shocking and disgusting spectacle of mendicancy displayed in that capital. Indeed the votes of the National Assembly leave no doubt of the facts. They have lately appointed a standing committee of mendicancy. They are contriving at once a vigorous police on this subject, and, for the first time, the imposition of a tax to maintain the poor, for whose present relief great sums appear on the face of the public accounts of the year.‡ In the meantime the leaders of the legislative

* See Gulliver's Travels for the idea of countries governed by philosophers.

† Mr. de Calonne states the falling off of the population of Paris as far more considerable; and it may be so, since the period of Mr. Necker's calculation.

	<i>Livres</i>	£	s.	d.
‡ Travaux de charité pour subvenir au manque de travail à Paris et dans les provinces	3,866,920	161,121	13	4
Destruction de vagabondage et de la mendicité.	1,671,417	69,642	7	6
Primes pour l'importation de grains	5,671,907	236,329	9	2
Dépenses relatives aux subsistances, déduction fait des recouvrements qui ont eu lieu	39,871,790	1,661,324	11	8
Total . . .	51,082,034	£2,128,418	1	8

When I sent this book to the press, I entertained some doubt concerning the nature and extent of the last article in the above accounts,

clubs and coffee-houses are intoxicated with admiration at their own wisdom and ability. They speak with the most sovereign contempt of the rest of the world. They tell the people, to comfort them in the rags with which they have clothed them, that they are a nation of philosophers; and, sometimes, by all the arts of quackish parade, by show, tumult, and bustle, sometimes by the alarms of plots and invasions, they attempt to drown the cries of indigence, and to divert the eyes of the observer from the ruin and wretchedness of the state. A brave people will certainly prefer liberty accompanied with a virtuous poverty to a depraved and wealthy servitude. But before the price of comfort and opulence is paid, one ought to be pretty sure it is real liberty which is purchased, and that she is to be purchased at no other price. I shall, always, however, consider that liberty as very equivocal in her appearance, which has not wisdom and justice for her companions; and does not lead prosperity and plenty in her train.

The advocates of this Revolution, not satisfied with exaggerating the vices of their ancient government, strike at the fame of their country itself, by painting almost all that could have attracted the attention of strangers, I mean their nobility and their clergy, as objects of horror. If this were only a libel, there had not been much in it. But it has practical consequences. Had your nobility and gentry, who formed the great body of your landed men, and the whole of your military officers, resembled those of Germany, at the period when the Hanse-towns were necessitated to confederate

which is only under a general head, without any detail. Since then I have seen Mr. de Calonne's work. I must think it a great loss to me that I had not that advantage earlier. Mr. de Calonne thinks this article to be on account of general subsistence; but as he is not able to comprehend how so great a loss as upwards of 1,661,000*l.* sterling could be sustained on the difference between the price and the sale of grain, he seems to attribute this enormous head of charge to secret expenses of the Revolution. I cannot say anything positively on that subject. The reader is capable of judging, by the aggregate of these immense charges, on the state and condition of France; and the system of public economy adopted in that nation. These articles of account produced no inquiry or discussion in the National Assembly.

against the nobles in defence of their property—had they been like the *Orsini* and *Vitelli* in Italy, who used to sally from their fortified dens to rob the trader and traveller—had they been such as the *Mamelukes* in Egypt, or the *Nayres* on the coast of Malabar, I do admit, that too critical an inquiry might not be advisable into the means of freeing the world from such a nuisance. The statues of Equity and Mercy might be veiled for a moment. The tenderest minds, confounded with the dreadful exigence in which morality submits to the suspension of its own rules in favour of its own principles, might turn aside whilst fraud and violence were accomplishing the destruction of a pretended nobility which disgraced, whilst it persecuted, human nature. The persons most abhorrent from blood, and treason, and arbitrary confiscation, might remain silent spectators of this civil war between the vices.

But did the privileged nobility who met under the king's precept at Versailles, in 1789, or their constituents, deserve to be looked on as the *Nayres* or *Mamelukes* of this age, or as the *Orsini* and *Vitelli* of ancient times? If I had then asked the question I should have passed for a madman. What have they done since that they were to be driven into exile, that their persons should be hunted about, mangled, and tortured, their families dispersed, their houses laid in ashes, and that their order should be abolished, and the memory of it, if possible, extinguished, by ordaining them to change the very names by which they were usually known? Read their instructions to their representatives. They breathe the spirit of liberty as warmly, and they recommend reformation as strongly, as any other order. Their privileges relative to contribution were voluntarily surrendered; as the king, from the beginning, surrendered all pretence to a right of taxation. Upon a free constitution there was but one opinion in France. The absolute monarchy was at an end. It breathed its last, without a groan, without struggle, without convulsion. All the struggle, all the dissension

arose afterwards upon the preference of a despotic democracy to a government of reciprocal control. The triumph of the victorious party was over the principles of a British constitution.

I have observed the affectation which, for many years past, has prevailed in Paris, even to a degree perfectly childish, of idolizing the memory of your Henry IV. If anything could put any one out of humour with that ornament to the kingly character, it would be this overdone style of insidious panegyric. The persons who have worked this engine the most busily are those who have ended their panegyrics in dethroning his successor and descendant; a man, as good natured, at the least, as Henry IV; altogether as fond of his people; and who has done infinitely more to correct the ancient vices of the state, than that great monarch did, or we are sure he ever meant to do. Well it is for his panegyrists, that they have not him to deal with. For Henry of Navarre was a resolute, active, and politic prince. He possessed, indeed, great humanity and mildness; but a humanity and mildness that never stood in the way of his interests. He never sought to be loved without putting himself first in a condition to be feared. He used soft language with determined conduct. He asserted and maintained his authority in the gross, and distributed his acts of concession only in the detail. He spent the income of his prerogative nobly; but he took care not to break in upon the capital; never abandoning for a moment any of the claims which he made under the fundamental laws, nor sparing to shed the blood of those who opposed him, often in the field, sometimes upon the scaffold. Because he knew how to make his virtues respected by the ungrateful, he has merited the praises of those, whom, if they had lived in his time, he would have shut up in the Bastille, and brought to punishment along with the regicides whom he hanged after he had furnished Paris into a surrender.

If these panegyrists are in earnest in their admira-

tion of Henry IV, they must remember, that they cannot think more highly of him, than he did of the noblesse of France ; whose virtue, honour, courage, patriotism, and loyalty were his constant theme.

But the nobility of France are degenerated since the days of Henry IV. This is possible. But it is more than I can believe to be true in any great degree. I do not pretend to know France as correctly as some others ; but I have endeavoured through my whole life to make myself acquainted with human nature : otherwise I should be unfit to take even my humble part in the service of mankind. In that study I could not pass by a vast portion of our nature, as it appeared modified in a country but twenty-four miles from the shore of this island. On my best observation, compared with my best inquiries, I found your nobility for the greater part composed of men of a high spirit, and of a delicate sense of honour, both with regard to themselves individually, and with regard to their whole corps, over whom they kept, beyond what is common in other countries, a censorial eye. They were tolerably well bred ; very officious, humane, and hospitable ; in their conversation frank and open ; with a good military tone ; and reasonably tinctured with literature, particularly of the authors in their own language. Many had pretensions far above this description. I speak of those who were generally met with.

As to their behaviour to the inferior classes, they appeared to me to comport themselves towards them with good-nature, and with something more nearly approaching to familiarity, than is generally practised with us in the intercourse between the higher and lower ranks of life. To strike any person, even in the most abject condition, was a thing in a manner unknown, and would be highly disgraceful. Instances of other ill-treatment of the humble part of the community were rare ; and, as to attacks made upon the property or the personal liberty of the commons, I never heard of any whatsoever from *them* ; nor, whilst the laws were in

vigour under the ancient government, would such tyranny in subjects have been permitted. As men of landed estates, I had no fault to find with their conduct, though much to reprehend, and much to wish changed, in many of the old tenures. Where the letting of their land was by rent, I could not discover that their agreements with their farmers were oppressive; nor when they were in partnership with the farmer, as often was the case, have I heard that they had taken the lion's share. The proportions seemed not inequitable. There might be exceptions; but certainly they were exceptions only. I have no reason to believe that in these respects the landed noblesse of France were worse than the landed gentry of this country; certainly in no respect more vexatious than the landholders, not noble, of their own nation. In cities the nobility had no manner of power; in the country very little. You know, sir, that much of the civil government, and the police in the most essential parts, was not in the hands of that nobility which presents itself first to our consideration. The revenue, the system and collection of which were the most grievous parts of the French government, was not administered by the men of the sword; nor were they answerable for the vices of its principle, or the vexations, where any such existed, in its management.

Denying, as I am well warranted to do, that the nobility had any considerable share in the oppression of the people, in cases in which real oppression existed, I am ready to admit that they were not without considerable faults and errors. A foolish imitation of the worst part of the manners of England, which impaired their natural character, without substituting in its place what perhaps they meant to copy, has certainly rendered them worse than formerly they were. Habitual dissoluteness of manners continued beyond the pardonable period of life, was more common amongst them than it is with us; and it reigned with the less hope of remedy, though possibly with something of less

mischief, by being covered with more exterior decorum. They countenanced too much that licentious philosophy which has helped to bring on their ruin. There was another error amongst them more fatal. Those of the commons, who approached to or exceeded many of the nobility in point of wealth, were not fully admitted to the rank and estimation which wealth, in reason and good policy, ought to bestow in every country; though I think not equally with that of other nobility. The two kinds of aristocracy were too punctiliously kept asunder; less so, however, than in Germany and some other nations.

This separation, as I have already taken the liberty of suggesting to you, I conceive to be one principal cause of the destruction of the old nobility. The military, particularly, was too exclusively reserved for men of family. But, after all, this was an error of opinion, which a conflicting opinion would have rectified. A permanent assembly, in which the commons had their share of power, would soon abolish whatever was too invidious and insulting in these distinctions; and even the faults in the morals of the nobility would have been probably corrected, by the greater varieties of occupation and pursuit to which a constitution by orders would have given rise.

All this violent cry against the nobility I take to be a mere work of art. To be honoured and even privileged by the laws, opinions, and inveterate usages of our country, growing out of the prejudice of ages, has nothing to provoke horror and indignation in any man. Even to be too tenacious of those privileges is not absolutely a crime. The strong struggle in every individual to preserve possession of what he has found to belong to him, and to distinguish him, is one of the securities against injustice and despotism implanted in our nature. It operates as an instinct to secure property, and to preserve communities in a settled state. What is there to shock in this? Nobility is a graceful ornament to the civil order. It is the Corinthian capital of polished

society. *Omnes boni nobilitati semper favemus*, was the saying of a wise and good man. It is, indeed, one sign of a liberal and benevolent mind to incline to it with some sort of partial propensity. He feels no ennobling principle in his own heart, who wishes to level all the artificial institutions which have been adopted for giving a body to opinion and permanence to fugitive esteem. It is a sour, malignant, envious disposition, without taste for the reality, or for any image or representation of virtue, that sees with joy the unmerited fall of what had long flourished in splendour and in honour. I do not like to see anything destroyed; any void produced in society; any ruin on the face of the land. It was therefore with no disappointment or dissatisfaction that my inquiries and observations did not present to me any incorrigible vices in the noblesse of France, or any abuse which could not be removed by a reform very short of abolition. Your noblesse did not deserve punishment; but to degrade is to punish.

It was with the same satisfaction I found that the result of my inquiry concerning your clergy was not dissimilar. It is no soothing news to my ears, that great bodies of men are incurably corrupt. It is not with much credulity I listen to any, when they speak evil of those whom they are going to plunder. I rather suspect that vices are feigned or exaggerated, when profit is looked for in their punishment. An enemy is a bad witness; a robber is a worse. Vices and abuses there were undoubtedly in that order, and must be. It was an old establishment, and not frequently revised. But I saw no crimes in the individuals that merited confiscation of their substance, nor those cruel insults and degradations, and that unnatural persecution, which have been substituted in the place of meliorating regulation.

If there had been any just cause for this new religious persecution, the atheistic libellers, who act as trumpeters to animate the populace to plunder, do not love any-

body so much as not to dwell with complacence on the vices of the existing clergy. This they have not done. They find themselves obliged to rake into the histories of former ages (which they have ransacked with a malignant and profligate industry) for every instance of oppression and persecution which has been made by that body or in its favour, in order to justify, upon very iniquitous, because very illogical, principles of retaliation, their own persecutions, and their own cruelties. After destroying all other genealogies and family distinctions, they invent a sort of pedigree of crimes. It is not very just to chastise men for the offences of their natural ancestors: but to take the fiction of ancestry in a corporate succession, as a ground for punishing men who have no relation to guilty acts, except in names and general descriptions, is a sort of refinement in injustice belonging to the philosophy of this enlightened age. The assembly punishes men, many, if not most, of whom abhor the violent conduct of ecclesiastics in former times as much as their present persecutors can do, and who would be as loud and as strong in the expression of that sense, if they were not well aware of the purposes for which all this declamation is employed.

Corporate bodies are immortal for the good of the members, but not for their punishment. Nations themselves are such corporations. As well might we in England think of waging inexpiable war upon all Frenchmen for the evils which they have brought upon us in the several periods of our mutual hostilities. You might, on your part, think yourselves justified in falling upon all Englishmen on account of the unparalleled calamities brought upon the people of France by the unjust invasions of our Henries and our Edwards. Indeed we should be mutually justified in this exterminatory war upon each other, full as much as you are in the unprovoked persecution of your present countrymen, on account of the conduct of men of the same name in other times.

We do not draw the moral lessons we might from

history. On the contrary, without care it may be used to vitiate our minds and to destroy our happiness. In history a great volume is unrolled for our instruction, drawing the materials of future wisdom from the past errors and infirmities of mankind. It may, in the perversion, serve for a magazine, furnishing offensive and defensive weapons for parties in church and state, and supplying the means of keeping alive or reviving dissensions and animosities, and adding fuel to civil fury. History consists, for the greater part, of the miseries brought upon the world by pride, ambition, avarice, revenge, lust, sedition, hypocrisy, ungoverned zeal, and all the train of disorderly appetites, which shake the public with the same

. . . 'troublesome storms that toss
The private state, and render life unsweet.'

These vices are the *causes* of those storms. Religion, morals, laws, prerogatives, privileges, liberties, rights of men, are the *pretexts*. The pretexts are always found in some specious appearance of a real good. You would not secure men from tyranny and sedition, by rooting out of the mind the principles to which these fraudulent pretexts apply? If you did, you would root out everything that is valuable in the human breast. As these are the pretexts, so the ordinary actors and instruments in great public evils are kings, priests, magistrates, senates, parliaments, national assemblies, judges, and captains. You would not cure the evil by resolving, that there should be no more monarchs, nor ministers of state, nor of the Gospel; no interpreters of law; no general officers; no public councils. You might change the names. The things in some shape must remain. A certain *quantum* of power must always exist in the community, in some hands, and under some appellation. Wise men will apply their remedies to vices, not to names; to the causes of evil which are permanent, not to the occasional organs by which they act, and the transitory modes in which they appear. Otherwise you

will be wise historically, a fool in practice. Seldom have two ages the same fashion in their pretexts and the same modes of mischief. Wickedness is a little more inventive. Whilst you are discussing fashion, the fashion is gone by. The very same vice assumes a new body. The spirit transmigrates ; and, far from losing its principle of life by the change of its appearance, it is renovated in its new organs with the fresh vigour of a juvenile activity. It walks abroad, it continues its ravages, whilst you are gibbeting the carcase, or demolishing the tomb. You are terrifying yourselves with ghosts and apparitions, whilst your house is the haunt of robbers. It is thus with all those who, attending only to the shell and husk of history, think they are waging war with intolerance, pride, and cruelty, whilst, under colour of abhorring the ill principles of antiquated parties, they are authorizing and feeding the same odious vices in different factions, and perhaps in worse.

Your citizens of Paris formerly had lent themselves as the ready instruments to slaughter the followers of Calvin at the infamous massacre of St. Bartholomew. What should we say to those who could think of retaliating on the Parisians of this day the abominations and horrors of that time ? They are indeed brought to abhor *that* massacre. Ferocious as they are, it is not difficult to make them dislike it ; because the politicians and fashionable teachers have no interest in giving their passions exactly the same direction. Still, however, they find it their interest to keep the same savage dispositions alive. It was but the other day that they caused this very massacre to be acted on the stage for the diversion of the descendants of those who committed it. In this tragic farce they produced the Cardinal of Lorraine in his robes of function, ordering general slaughter. Was this spectacle intended to make the Parisians abhor persecution, and loathe the effusion of blood ?—No ; it was to teach them to persecute their own pastors ; it was to excite them, by raising a disgust and horror of their clergy, to an alacrity in hunting down to destruction an

order, which, if it ought to exist at all, ought to exist not only in safety, but in reverence. It was to stimulate their cannibal appetites (which one would think had been gorged sufficiently) by variety and seasoning; and to quicken them to an alertness in new murders and massacres, if it should suit the purpose of the Guises of the day. An assembly, in which sat a multitude of priests and prelates, was obliged to suffer this indignity at its door. The author was not sent to the galleys, nor the players to the house of correction. Not long after this exhibition, those players came forward to the assembly to claim the rites of that very religion which they had dared to expose, and to show their prostituted faces in the senate, whilst the Archbishop of Paris, whose function was known to his people only by his prayers and benedictions, and his wealth only by alms, is forced to abandon his house, and to fly from his flock (as from ravenous wolves) because, truly, in the sixteenth century, the Cardinal of Lorraine was a rebel and a murderer.*

Such is the effect of the perversion of history, by those who, for the same nefarious purposes, have perverted every other part of learning. But those who will stand upon that elevation of reason, which places centuries under our eye, and brings things to the true point of comparison, which obscures little names, and effaces the colours of little parties, and to which nothing can ascend but the spirit and moral quality of human actions, will say, to the teachers of the Palais Royal,—the Cardinal of Lorraine was the murderer of the sixteenth century, you have the glory of being the murderers in the eighteenth; and this is the only difference between you. But history, in the nineteenth century, better understood and better employed, will, I trust, teach a civilized posterity to abhor the misdeeds of both these barbarous ages. It will teach future priests and magistrates not to retaliate upon the speculative and inactive

* This is on a supposition of the truth of this story, but he was not in France at the time. _One name serves as well as another.

atheists of future times the enormities committed by the present practical zealots and furious fanatics of that wretched error, which, in its quiescent state, is more than punished, whenever it is embraced. It will teach posterity not to make war upon either religion or philosophy, for the abuse which the hypocrites of both have made of the two most valuable blessings conferred upon us by the bounty of the universal Patron, who in all things eminently favours and protects the race of man.

If your clergy, or any clergy, should show themselves vicious beyond the fair bounds allowed to human infirmity, and to those professional faults which can hardly be separated from professional virtues, though their vices never can countenance the exercise of oppression, I do admit that they would naturally have the effect of abating very much of our indignation against the tyrants who exceed measure and justice in their punishment. I can allow in clergymen, through all their divisions, some tenaciousness of their own opinion, some overflowings of zeal for its propagation, some predilection to their own state and office, some attachment to the interest of their own corps, some preference to those who listen with docility to their doctrines beyond those who scorn and deride them. I allow all this, because I am a man who have to deal with men, and who would not, through a violence of toleration, run into the greatest of all intolerance. I must bear with infirmities until they fester into crimes.

Undoubtedly the natural progress of the passions, from frailty to vice, ought to be prevented by a watchful eye and a firm hand. But is it true that the body of your clergy had passed those limits of a just allowance? From the general style of your late publications of all sorts, one would be led to believe that your clergy in France were a sort of monsters; a horrible composition of superstition, ignorance, sloth, fraud, avarice, and tyranny. But is this true? Is it true that the lapse of time, the cessation of conflicting interests, the woeful experience of the evils resulting from party rage, have

had no sort of influence gradually to meliorate their minds? Is it true that they were daily renewing invasions on the civil power, troubling the domestic quiet of their country, and rendering the operations of its government feeble and precarious? Is it true, that the clergy of our times have pressed down the laity with an iron hand, and were, in all places, lighting up the fires of a savage persecution? Did they by every fraud endeavour to increase their estates? Did they use to exceed the due demands on estates that were their own? Or, rigidly screwing up right into wrong, did they convert a legal claim into a vexatious extortion? When not possessed of power, were they filled with the vices of those who envy it? Were they inflamed with a violent, litigious spirit of controversy? Goaded on with the ambition of intellectual sovereignty, were they ready to fly in the face of all magistracy, to fire churches, to massacre the priests of other descriptions, to pull down altars, and to make their way over the ruins of subverted governments to an empire of doctrine, sometimes flattering, sometimes forcing, the consciences of men from the jurisdiction of public institutions into a submission to their personal authority, beginning with a claim of liberty and ending with an abuse of power?

These, or some of these, were the vices objected, and not wholly without foundation, to several of the churchmen of former times, who belonged to the two great parties which then divided and distracted Europe.

If there was in France, as in other countries there visibly is, a great abatement, rather than any increase of these vices, instead of loading the present clergy with the crimes of other men, and the odious character of other times, in common equity they ought to be praised, encouraged, and supported, in their departure from a spirit which disgraced their predecessors, and for having assumed a temper of mind and manners more suitable to their sacred function.

When my occasions took me into France, towards the close of the late reign, the clergy, under all their forms,

engaged a considerable part of my curiosity. So far from finding (except from one set of men, not then very numerous though very active) the complaints and contents against that body, which some publications had given me reason to expect, I perceived little or no public or private uneasiness on their account. On further examination, I found the clergy, in general, persons of moderate minds and decorous manners; I include the seculars, and the regulars of both sexes. I had not the good fortune to know a great many of the parochial clergy; but in general I received a perfectly good account of their morals and of their attention to their duties. With some of the higher clergy I had a personal acquaintance; and of the rest in that class, a very good means of information. They were, almost all of them, persons of noble birth. They resembled others of their own rank; and where there was any difference, it was in their favour. They were more fully educated than the military noblesse; so as by no means to disgrace their profession by ignorance, or by want of fitness for the exercise of their authority. They seemed to me, beyond the clerical character, liberal and open; with the hearts of gentlemen and men of honour; neither insolent nor servile in their manners and conduct. They seemed to me rather a superior class; a set of men amongst whom you would not be surprised to find a *Fenelon*. I saw among the clergy in Paris (many of the description are not to be met with anywhere) men of great learning and candour; and I had reason to believe that this description was not confined to Paris. What I found in other places, I know was accidental; and therefore to be presumed a fair sample. I spent a few days in a provincial town where, in the absence of the bishop, I passed my evenings with three clergymen, his vicars-general, persons who would have done honour to any church. They were all well informed; two of them of deep, general, and extensive erudition, ancient and modern, oriental and western; particularly in their own profession. They had a more extensive knowledge of our English divines than I ex-

pected ; and they entered into the genius of those writers with a critical accuracy. One of these gentlemen is since dead, the Abbé *Morangis*. I pay this tribute, without reluctance, to the memory of that noble, reverend, learned, and excellent person ; and I should do the same, with equal cheerfulness, to the merits of the others, who I believe are still living, if I did not fear to hurt those whom I am unable to serve. .

Some of these ecclesiastics of rank, are, by their titles, persons deserving of general respect. They are deserving of gratitude from me, and from many English. If this letter should ever come into their hands, I hope they will believe there are those of our nation who feel for their unmerited fall, and for the cruel confiscation of their fortunes, with no common sensibility. What I say of them is a testimony, as far as one feeble voice can go, which I owe to truth. Whenever the question of this unnatural persecution is concerned, I will pay it. No one shall prevent me from being just and grateful. The time is fitted for the duty ; and it is particularly becoming to show our justice and gratitude, when those, who have deserved well of us and of mankind, are labouring under popular obloquy and the persecutions of oppressive power.

You had before your Revolution about a hundred and twenty bishops. A few of them were men of eminent sanctity and charity without limit. When we talk of the heroic, of course we talk of rare virtue. I believe the instances of eminent depravity may be as rare amongst them as those of transcendent goodness. Examples of avarice and of licentiousness may be picked out, I do not question it, by those who delight in the investigation which leads to such discoveries. A man as old as I am will not be astonished that several, in every description, do not lead that perfect life of self-denial, with regard to wealth or to pleasure, which is wished for by all, by some expected, but by none exacted with more rigour, than by those who are the most attentive to their own interests, or the most indulgent to their own passions.

When I was in France, I am certain that the number of vicious prelates was not great. Certain individuals among them, not distinguishable for the regularity of their lives, made some amends for their want of the severe virtues, in their possession of the liberal ; and were endowed with qualities which made them useful in the church and state. I am told that, with few exceptions, Louis XVI had been more attentive to character, in his promotions to that rank, than his immediate predecessor ; and I believe (as some spirit of reform has prevailed through the whole reign) that it may be true. But the present ruling power has shown a disposition only to plunder the church. It has punished *all* prelates ; which is to favour the vicious, at least in point of reputation. It has made a degrading pensionary establishment, to which no man of liberal ideas or liberal condition will destine his children. It must settle into the lowest classes of the people. As with you the inferior clergy are not numerous enough for their duties ; as these duties are, beyond measure, minute and toilsome, as you have left no middle classes of clergy at their ease, in future nothing of science or erudition can exist in the Gallican church. To complete the project, without the least attention to the rights of patrons, the assembly has provided in future an elective clergy ; an arrangement which will drive out of the clerical profession all men of sobriety ; all who can pretend to independence in their function or their conduct ; and which will throw the whole direction of the public mind into the hands of a set of licentious, bold, crafty, factious, flattering wretches, of such condition and such habits of life as will make their contemptible pensions (in comparison of which the stipend of an exciseman is lucrative and honourable) an object of low and illiberal intrigue. Those officers, whom they still call bishops, are to be elected to a provision comparatively mean, through the same arts, (that is, electioneering arts,) by men of all religious tenets that are known or can be invented. The new lawgivers have not ascertained anything whatsoever concerning their qualifications,

relative either to doctrine or to morals ; no more than they have done with regard to the subordinate clergy ; nor does it appear but that both the higher and the lower may, at their discretion, practise or preach any mode of religion or irreligion that they please. I do not yet see what the jurisdiction of bishops over their subordinates is to be, or whether they are to have any jurisdiction at all.

In short, sir, it seems to me, that this new ecclesiastical establishment is intended only to be temporary, and preparatory to the utter abolition, under any of its forms, of the Christian religion, whenever the minds of men are prepared for this last stroke against it, by the accomplishment of the plan for bringing its ministers into universal contempt. They who will not believe that the philosophical fanatics, who guide in these matters, have long entertained such a design, are utterly ignorant of their character and proceedings. These enthusiasts do not scruple to avow their opinion, that a state can subsist without any religion better than with one ; and that they are able to supply the place of any good which may be in it, by a project of their own—namely, by a sort of education they have imagined, founded in a knowledge of the physical wants of men ; progressively carried to an enlightened self-interest, which, when well understood, they tell us, will identify with an interest more enlarged and public. The scheme of this education has been long known. Of late they distinguish it (as they have got an entirely new nomenclature of technical terms) by the name of a *Civic Education*.

I hope their partisans in England (to whom I rather attribute very inconsiderate conduct than the ultimate object in this detestable design) will succeed neither in the pillage of the ecclesiastics, nor in the introduction of a principle of popular election to our bishoprics and parochial cures. This, in the present condition of the world, would be the last corruption of the church ; the utter ruin of the clerical character ; the most dangerous shock that the state ever received through a misunder-

stood arrangement of religion. I know well enough that the bishoprics and cures, under kingly and seignorial patronage, as now they are in England, and as they have been lately in France, are sometimes acquired by unworthy methods ; but the other mode of ecclesiastical canvass subjects them infinitely more surely and more generally to all the evil arts of low ambition which, operating on and through greater numbers, will produce mischief in proportion.

Those of you, who have robbed the clergy, think that they shall easily reconcile their conduct to all Protestant nations ; because the clergy, whom they have thus plundered, degraded, and given over to mockery and scorn, are of the Roman Catholic, that is, of *their own* pretended persuasion. I have no doubt that some miserable bigots will be found here as well as elsewhere, who hate sects and parties different from their own, more than they love the substance of religion ; and who are more angry with those who differ from them in their particular plans and systems than displeased with those who attack the foundation of our common hope. These men will write and speak on the subject in the manner that is to be expected from their temper and character. Burnet says that, when he was in France, in the year 1683, ' the method which carried over the men of the finest parts to popery was this : they brought themselves to doubt of the whole Christian religion. When that was once done, it seemed a more indifferent thing of what side or form they continued outwardly.' If this was then the ecclesiastic policy of France, it is what they have since but too much reason to repent of. They preferred atheism to a form of religion not agreeable to their ideas. They succeeded in destroying that form ; and atheism has succeeded in destroying them. I can readily give credit to Burnet's story ; because I have observed too much of a similar spirit (for a little of it is ' much too much ') amongst ourselves. The humour, however, is not general.

The teachers who reformed our religion in England

bore no sort of resemblance to your present reforming doctors in Paris. Perhaps they were (like those whom they opposed) rather more than could be wished under the influence of a party spirit; but they were most sincere believers; men of the most fervent and exalted piety; ready to die (as some of them did die) like true heroes in defence of their particular ideas of Christianity; as they would with equal fortitude, and more cheerfully, for that stock of general truth, for the branches of which they contended with their blood. These men would have disavowed with horror those wretches who claimed a fellowship with them upon no other titles than those of their having pillaged the persons with whom they maintained controversies, and their having despised the common religion, for the purity of which they exerted themselves with a zeal, which unequivocally bespoke their highest reverence for the substance of that system which they wished to reform. Many of their descendants have retained the same zeal, but (as less engaged in conflict) with more moderation. They do not forget that justice and mercy are substantial parts of religion. Impious men do not recommend themselves to their communion by iniquity and cruelty towards any description of their fellow-creatures.

We hear these new teachers continually boasting of their spirit of toleration. That those persons should tolerate all opinions, who think none to be of estimation, is a matter of small merit. Equal neglect is not impartial kindness. The species of benevolence, which arises from contempt, is no true charity. There are in England abundance of men who tolerate in the true spirit of toleration. They think the dogmas of religion, though in different degrees, are all of moment; and that amongst them there is, as amongst all things of value, a just ground of preference. They favour, therefore, and they tolerate. They tolerate, not because they despise opinions, but because they respect justice. They would reverently and affectionately protect all religions, because they love and venerate the great principle upon which they all agree,

and the great object to which they are all directed. They begin more and more plainly to discern that we have all a common cause, as against a common enemy. They will not be so misled by the spirit of faction, as not to distinguish what is done in favour of their subdivision, from those acts of hostility, which, through some particular description, are aimed at the whole corps, in which they themselves, under another denomination, are included. It is impossible for me to say what may be the character of every description of men amongst us. But I speak for the greater part; and for them, I must tell you that sacrilege is no part of their doctrine of good works; that, so far from calling you into their fellowship on such title, if your professors are admitted to their communion, they must carefully conceal their doctrine of the lawfulness of the proscription of innocent men; and that they must make restitution of all stolen goods whatsoever. Till then they are none of ours.

You may suppose that we do not approve your confiscation of the revenues of bishops, and deans, and chapters, and parochial clergy possessing independent estates arising from land, because we have the same sort of establishment in England. That objection, you will say, cannot hold as to the confiscation of the goods of monks and nuns, and the abolition of their order. It is true that this particular part of your general confiscation does not affect England, as a precedent in point: but the reason applies and it goes a great way. The long parliament confiscated the lands of deans and chapters in England on the same ideas upon which your assembly set to sale the lands of the monastic orders. But it is in the principle of injustice that the danger lies, and not in the description of persons on whom it is first exercised. I see, in a country very near us, a course of policy pursued, which sets justice, the common concern of mankind, at defiance. With the National Assembly of France, possession is nothing, law and usage are nothing. I see the National Assembly openly reprobate the doctrine of prescription, which one of the greatest of their own

lawyers* tells us, with great truth, is a part of the law of nature. He tells us that the positive ascertainment of its limits, and its security from invasion, were among the causes for which civil society itself has been instituted. If prescription be once shaken, no species of property is secure, when it once becomes an object large enough to tempt the cupidity of indigent power. I see a practice perfectly correspondent to their contempt of this great fundamental part of natural law. I see the confiscators begin with bishops, and chapters, and monasteries; but I do not see them end there. I see the princes of the blood, who, by the oldest usages of that kingdom held large landed estates (hardly with the compliment of a debate), deprived of their possessions, and, in lieu of their stable, independent property, reduced to the hope of some precarious, charitable pension, at the pleasure of an assembly, which of course will pay little regard to the rights of pensioners at pleasure, when it despises those of legal proprietors. Flushed with the insolence of the first inglorious victories, and pressed by the distresses caused by the lust of unhallowed lucre, disappointed but not discouraged, they have at length ventured completely to subvert all property of all descriptions throughout the extent of a great kingdom. They have compelled all men, in all transactions of commerce, in the disposal of lands, in civil dealing, and through the whole communion of life, to accept as perfect payment and good and lawful tender, the symbols of their speculations on a projected sale of their plunder. What vestiges of liberty or property have they left? The tenant-right of a cabbage-garden, a year's interest in a hovel, the goodwill of an ale-house or a baker's shop, the very shadow of a constructive property, are more ceremoniously treated in our parliament, than with you the oldest and most valuable landed possessions, in the hands of the most respectable personages, or than the whole body of the monied and commercial interest of your country. We entertain a high opinion of the legislative authority; but

* Domat.

we have never dreamt that parliaments had any right whatever to violate property, to over-rule prescription, or to force a currency of their own fiction in the place of that which is real, and recognized by the law of nations. But you, who began with refusing to submit to the most moderate restraints, have ended by establishing an unheard-of despotism. I find the ground upon which your confiscators go is this : that indeed their proceedings could not be supported in a court of justice ; but that the rules of prescription cannot bind a legislative assembly.* So that this legislative assembly of a free nation sits, not for the security, but for the destruction of property, and not of property only, but of every rule and maxim which can give it stability and of those instruments which can alone give it circulation.

When the anabaptists of Munster, in the sixteenth century, had filled Germany with confusion, by their system of levelling and their wild opinions concerning property, to what country in Europe did not the progress of their fury furnish just cause of alarm ? Of all things, wisdom is the most terrified with epidemical fanaticism, because of all enemies it is that against which she is the least able to furnish any kind of resource. We cannot be ignorant of the spirit of atheistical fanaticism, that is inspired by a multitude of writings, dispersed with incredible assiduity and expense, and by sermons delivered in all the streets and places of public resort in Paris. These writings and sermons have filled the populace with a black and savage atrocity of mind, which supersedes in them the common feelings of nature, as well as all sentiments of morality and religion ; insomuch that these wretches are induced to bear with a sullen patience the intolerable distresses brought upon them by the violent convulsions and permutations that have been made in property.† The spirit of proselytism

* Speech of Mr. Camus, published by order of the National Assembly.

† Whether the following description is strictly true I know not ; but it is what the publishers would have pass for true, in order to animate others. In a letter from Toul, given in one of their papers, is

attends this spirit of fanaticism. They have societies to cabal and correspond at home and abroad for the propagation of their tenets. The republic of Berne, one of the happiest, the most prosperous, and the best governed countries upon earth, is one of the great objects at the destruction of which they aim. I am told they have in some measure succeeded in sowing there the seeds of discontent. They are busy throughout Germany. Spain and Italy have not been untried. England is not left out of the comprehensive scheme of their malignant charity: and in England we find those who stretch out their arms to them, who recommend their example from more than one pulpit, and who choose, in more than one periodical meeting, publicly to correspond with them, to applaud them, and to hold them up as objects for imitation; who receive from them tokens of confraternity, and standards consecrated amidst their rites and mysteries; * who suggest to them leagues of perpetual amity, at the very time when the power, to which our constitution has exclusively delegated the federative capacity of this kingdom, may find it expedient to make war upon them.

It is not the confiscation of our church property from this example in France that I dread, though I think this

the following passage concerning the people of that district: 'Dans la Révolution actuelle, ils ont résisté à toutes les *séductions du bigotisme, aux persécutions et aux tracasseries* des ennemis de la Révolution. *Oubliant leurs plus grands intérêts* pour rendre hommage aux vues d'ordre général qui ont déterminé l'Assemblée Nationale, ils voient, *sans se plaindre*, supprimer cette foule d'établissmens ecclésiastiques par lesquels ils *subsistoient*; et même, en perdant leur siège épiscopal la seule de toutes ses ressources qui pouvoit, ou plutôt *qui devoit, en toute équité*, leur être conservée; condamnés à la *plus effrayante misère* sans avoir *été ni pu être entendus*, ils ne *murmurent point*, ils restent fideles aux principes du plus pur patriotisme; ils sont encore prêts à verser leur sang pour le maintien de la constitution, qui va réduire leur ville à la *plus déplorable nullité*.' These people are not supposed to have endured those sufferings and injustices in a struggle for liberty, for the same account states truly that they had been always free; their patience in beggary and ruin, and their suffering, without remonstrance, the most flagrant injustice, if strictly true, can be nothing but the effect of this dire fanaticism. A great multitude all over France is in the same condition and the same temper.

* See the proceedings of the confederation at Nantes.

would be no trifling evil. The great source of my solicitude is, lest it should ever be considered in England as the policy of a state to seek a resource in confiscations of any kind; or that any one description of citizens should be brought to regard any of the others as their proper prey.* Nations are wading deeper and deeper into an ocean of boundless debt. Public debts, which at first were a security to governments, by interesting many in the public tranquillity, are likely in their excess to become the means of their subversion. If governments provide for these debts by heavy impositions, they perish by becoming odious to the people. If they do not provide for them, they will be undone by the efforts of the most dangerous of all parties; I mean an extensive, discontented monied interest, injured and not destroyed. The men who compose this interest look for their security, in the first instance, to the fidelity of government; in the second, to its power. If they find the old governments effete, worn out, and with their springs relaxed, so as not to be of sufficient vigour for their purposes, they may seek new ones that shall be possessed of more energy; and this energy will be derived, not from an acquisition of resources, but from a contempt of justice. Revolutions are favourable to confiscation; and it is impossible to know under what obnoxious names the next confiscations

* 'Si plures sunt ii quibus improbe datum est, quam illi quibus injuste ademptum est, idcirco plus etiam valent? Non enim numero hæc judicantur sed pondere. Quam autem habet æquitatem, ut agrum multis annis, aut etiam sæculis ante possessum, qui nullum habuit habeat; qui autem habuit amittat? Ac, propter hoc injuriæ genus. Lacedæmonii Lysandrum Ephorum expulerunt: Agin regem (quod nunquam antea apud eos acciderat) necaverunt: exque eo tempore tantæ discordiæ secutæ sunt, ut et tyranni existerint, et optimates exterminarentur, et præclarissime constituta respublica dilaberetur. Nec vero solum ipsa cecidit, sed etiam reliquam Græciam evertit contagionibus malorum, quæ a Lacedæmoniis profectæ manarunt latius.'—After speaking of the conduct of the model of true patriots, Aratus of Sicyon, which was in a very different spirit, he says, 'Sic par est agere cum civibus; non ut bis jam vidimus, hastam in foro ponere et bona civium voci subicere præconis. At ille Græcus (id quod fuit sapientis et præstantis viri) omnibus consulendum esse putavit: eaque est summa ratio et sapientia boni civis, commoda civium non divellere, sed omnes eadem æquitate continere.'—Cic. Off. l. 2.

will be authorized. I am sure that the principles predominant in France extend to very many persons, and descriptions of persons, in all countries, who think their innoxious indolence their security. This kind of innocence in proprietors may be argued into inutility; and inutility into an unfitness for their estates. Many parts of Europe are in open disorder. In many others there is a hollow murmuring underground; a confused movement is felt that threatens a general earthquake in the political world. Already confederacies and correspondences of the most extraordinary nature are forming, in several countries.* In such a state of things we ought to hold ourselves upon our guard. In all mutations (if mutations must be) the circumstance which will serve most to blunt the edge of their mischief, and to promote what good may be in them, is that they should find us with our minds tenacious of justice, and tender of property.

But it will be argued that this confiscation in France ought not to alarm other nations. They say it is not made from wanton rapacity; that it is a great measure of national policy, adopted to remove an extensive, inveterate superstitious mischief. It is with the greatest difficulty that I am able to separate policy from justice. Justice is itself the great standing policy of civil society; and any eminent departure from it, under any circumstances, lies under the suspicion of being no policy at all.

When men are encouraged to go into a certain mode of life by the existing laws, and protected in that mode as in a lawful occupation—when they have accommodated all their ideas and all their habits to it—when the law had long made their adherence to its rules a ground of reputation, and their departure from them a ground of disgrace and even of penalty—I am sure it is unjust in legislature, by an arbitrary act, to offer

* See two books entitled, 'Einige Originalschriften des Illuminatenordens.'—'System und Folgen des Illuminatenordens.' München, 1787.

a sudden violence to their minds and their feelings; forcibly to degrade them from their state and condition, and to stigmatize with shame and infamy that character, and those customs, which before had been made the measure of their happiness and honour. If to this be added an expulsion from their habitations, and a confiscation of all their goods, I am not sagacious enough to discover how this despotic sport, made of the feelings, consciences, prejudices, and properties of men, can be discriminated from the rankest tyranny.

If the injustice of the course pursued in France be clear, the policy of the measure, that is the public benefit to be expected from it, ought to be at least as evident, and at least as important. To a man who acts under the influence of no passion, who has nothing in view in his projects but the public good, a great difference will immediately strike him, between what policy would dictate on the original introduction of such institutions, and on a question of their total abolition, where they have cast their roots wide and deep, and where, by long habit, things more valuable than themselves are so adapted to them, and in a manner interwoven with them, that the one cannot be destroyed without notably impairing the other. He might be embarrassed if the case were really such as sophisters represent it in their paltry style of debating. But in this, as in most questions of state, there is a middle. There is something else than the mere alternative of absolute destruction, or unreformed existence. *Spartam nactus es; hanc exorna.* This is, in my opinion, a rule of profound sense, and ought never to depart from the mind of an honest reformer. I cannot conceive how any man can have brought himself to that pitch of presumption, to consider his country as nothing but *carte blanche*, upon which he may scribble whatever he pleases. A man full of warm, speculative benevolence may wish his society otherwise constituted than he finds it; but a good patriot, and a true politician, always considers how he shall make the most of the existing materials

of his country. A disposition to preserve, and an ability to improve, taken together, would be my standard of a statesman. Everything else is vulgar in the conception, perilous in the execution.

There are moments in the fortunes of states, when particular men are called to make improvements by great mental exertion. In those moments, even when they seem to enjoy the confidence of their prince and country, and to be invested with full authority, they have not always apt instruments. A politician, to do great things, looks for a *power*, what our workmen call a *purchase*; and if he finds that power, in politics as in mechanics, he cannot be at a loss to apply it. In the monastic institutions, in my opinion, was found a great *power* for the mechanism of politic benevolence. There were revenues with a public direction; there were men wholly set apart and dedicated to public purposes, without any other than public ties and public principles; men without the possibility of converting the estate of the community into a private fortune; men denied to self-interests, whose avarice is for some community; men to whom personal poverty is honour, and implicit obedience stands in the place of freedom. In vain shall a man look to the possibility of making such things when he wants them. The winds blow as they list. These institutions are the products of enthusiasm; they are the instruments of wisdom. Wisdom cannot create materials; they are the gifts of nature or of chance; her pride is in the use. The perennial existence of bodies corporate and their fortunes are things particularly suited to a man who has long views; who meditates designs that require time in fashioning, and which propose duration when they are accomplished. He is not deserving to rank high, or even to be mentioned in the order of great statesmen, who, having obtained the command and direction of such a power as existed in the wealth, the discipline, and the habits of such corporations, as those which you have rashly destroyed, cannot find any way of converting it to the

great and lasting benefit of his country. On the view of this subject a thousand uses suggest themselves to a contriving mind. To destroy any power, growing wild from the rank productive force of the human mind, is almost tantamount, in the moral world, to the destruction of the apparently active properties of bodies in the material. It would be like the attempt to destroy (if it were in our competence to destroy) the expansive force of fixed air in nitre, or the power of steam, or of electricity, or of magnetism. These energies always existed in nature, and they were always discernible. They seemed, some of them unserviceable, some noxious, some no better than a sport to children; until contemplative ability, combining with practical skill, tamed their wild nature, subdued them to use, and rendered them at once the most powerful and the most tractable agents, in subservience to the great views and designs of men. Did fifty thousand persons, whose mental and whose bodily labour you might direct, and so many hundred thousand a year of a revenue, which was neither lazy nor superstitious, appear too big for your abilities to wield? Had you no way of using the men but by converting monks into pensioners? Had you no way of turning the revenue to account, but through the improvident resource of a spendthrift sale? If you were thus destitute of mental funds, the proceeding is in its natural course. Your politicians do not understand their trade; and therefore they sell their tools.

But the institutions savour of superstition in their very principle; and they nourish it by a permanent and standing influence. This I do not mean to dispute; but this ought not to hinder you from deriving from superstition itself any resources which may thence be furnished for the public advantage. You derive benefits from many dispositions and many passions of the human mind, which are of as doubtful a colour, in the moral eye, as superstition itself. It was your business to correct and mitigate everything which was

noxious in this passion, as in all the passions. But is superstition the greatest of all possible vices? In its possible excess I think it becomes a very great evil. It is, however, a moral subject; and of course admits of all degrees and all modifications. Superstition is the religion of feeble minds; and they must be tolerated in an intermixture of it, in some trifling or some enthusiastic shape or other, else you will deprive weak minds of a resource found necessary to the strongest. The body of all true religion consists, to be sure, in obedience to the will of the Sovereign of the world; in a confidence in his declarations; and in imitation of his perfections. The rest is our own. It may be prejudicial to the great end; it may be auxiliary. Wise men, who as such, are not *admirers* (not admirers at least of the *Munera Terræ*) are not violently attached to these things, nor do they violently hate them. Wisdom is not the most severe corrector of folly. They are the rival follies, which mutually wage so unrelenting a war; and which make so cruel a use of their advantages, as they can happen to engage the immoderate vulgar, on the one side or the other, in their quarrels. Prudence would be neuter; but if, in the contention between fond attachment and fierce antipathy concerning things in their nature not made to produce such heats, a prudent man were obliged to make a choice of what errors and excesses of enthusiasm he would condemn or bear, perhaps he would think the superstition which builds, to be more tolerable than that which demolishes—that which adorns a country, than that which deforms it—that which endows, than that which plunders—that which disposes to mistaken beneficence, than that which stimulates to real injustice—that which leads a man to refuse to himself lawful pleasures, than that which snatches from others the scanty subsistence of their self-denial. Such, I think, is very nearly the state of the question between the ancient founders of monkish superstition, and the superstition of the pretended philosophers of the hour.

For the present I postpone all consideration of the supposed public profit of the sale which, however, I conceive to be perfectly delusive. I shall here only consider it as a transfer of property. On the policy of that transfer I shall trouble you with a few thoughts.

In every prosperous community something more is produced than goes to the immediate support of the producer. This surplus forms the income of the landed capitalist. It will be spent by a proprietor who does not labour. But this idleness is itself the spring of labour; this repose the spur to industry. The only concern for the state is, that the capital taken in rent from the land, should be returned again to the industry from whence it came; and that its expenditure should be with the least possible detriment to the morals of those who expend it, and to those of the people to whom it is returned.

In all the views of receipt, expenditure, and personal employment, a sober legislator would carefully compare the possessor whom he was recommended to expel, with the stranger who was proposed to fill his place. Before the inconveniences are incurred which *must* attend all violent revolutions in property through extensive confiscation, we ought to have some rational assurance that the purchasers of the confiscated property will be in a considerable degree more laborious, more virtuous, more sober, less disposed to extort an unreasonable proportion of the gains of the labourer, or to consume on themselves a larger share than is fit for the measure of an individual; or that they should be qualified to dispense the surplus in a more steady and equal mode, so as to answer the purposes of a politic expenditure; than the old possessors, call those possessors bishops, or canons, or commendatory abbots, or monks, or what you please. The monks are lazy. Be it so. Suppose them no otherwise employed than by singing in the choir. They are as usefully employed as those who neither sing nor say. As usefully even

as those who sing upon the stage. They are as usefully employed as if they worked from dawn to dark in the innumerable servile, degrading, unseemly, unmanly, and often most unwholesome and pestiferous occupations, to which by the social economy so many wretches are inevitably doomed. If it were not generally pernicious to disturb the natural course of things, and to impede, in any degree, the great wheel of circulation which is turned by the strangely-directed labour of these unhappy people, I should be infinitely more inclined forcibly to rescue them from their miserable industry, than violently to disturb the tranquil repose of monastic quietude. Humanity, and perhaps policy, might better justify me in the one than in the other. It is a subject on which I have often reflected, and never reflected without feeling from it. I am sure that no consideration, except the necessity of submitting to the yoke of luxury, and the despotism of fancy, who in their own imperious way will distribute the surplus product of the soil, can justify the toleration of such trades and employments in a well-regulated state. But for this purpose of distribution, it seems to me, that the idle expenses of monks are quite as well directed as the idle expenses of us lay-loiterers.

When the advantages of the possession and of the project are on a par, there is no motive for a change. But in the present case, perhaps they are not upon a par, and the difference is in favour of the possession. It does not appear to me, that the expenses of those whom you are going to expel do, in fact, take a course so directly and so generally leading to vitiate, and degrade, and render miserable those through whom they pass, as the expenses of those favourites whom you are intruding into their houses. Why should the expenditure of a great landed property, which is a dispersion of the surplus product of the soil, appear intolerable to you or to me, when it takes its course through the accumulation of great libraries, which are the history of the force and weakness of the human mind ; through

great collections of ancient records, medals and coins, which attest and explain laws and customs; through paintings and statues that, by imitating nature, seem to extend the limits of creation; through grand monuments of the dead, which continue the regards and connexions of life beyond the grave; through collections of the specimens of nature, which become a representative assembly of all the classes and families of the world, that by disposition facilitate, and, by exciting curiosity, open the avenues to science? If, by great permanent establishments, all these objects of expense are better secured from the inconstant sport of personal caprice and personal extravagance, are they worse than if the same tastes prevailed in scattered individuals? Does not the sweat of the mason and carpenter, who toil in order to partake the sweat of the peasant, flow as pleasantly and as salubriously, in the construction and repair of the majestic edifices of religion, as in the painted booths and sordid sties of vice and luxury; as honourably and as profitably in repairing those sacred works, which grow hoary with innumerable years, as on the momentary receptacles of transient voluptuousness; in opera-houses, and brothels, and gaming-houses, and club-houses, and obelisks in the Champ de Mars? Is the surplus product of the olive and the vine worse employed in the frugal sustenance of persons, whom the fictions of a pious imagination raise to dignity by construing in the service of God, than in pampering the innumerable multitude of those who are degraded by being made useless domestics, subservient to the pride of man? Are the decorations of temples an expenditure less worthy a wise man, than ribbons, and laces, and national cockades, and petit maisons, and petit soupers, and all the innumerable fopperies and follies, in which opulence sports away the burden of its superfluity?

We tolerate even these; not from love of them, but for fear of worse. We tolerate them, because property and liberty, to a degree, acquire that toleration. But

why proscribe the other, and surely, in every point of view, the more laudable use of estates? Why, through the violation of all property, through an outrage of every principle of liberty, forcibly carry them from the better to the worse?

This comparison between the new individuals and the old corps is made upon a supposition that no reform could be made in the latter. But, in a question of reformation, I always consider corporate bodies, whether sole or consisting of many, to be much more susceptible of a public direction by the power of the state, in the use of their property, and in the regulation of modes and habits of life in their members, than private citizens ever can be, or perhaps ought to be; and this seems to me a very material consideration for those who undertake anything which merits the name of a politic enterprise.—So far as to the estates of monasteries.

With regard to the estates possessed by bishops, and canons, and commendatory abbots, I cannot find out for what reason some landed estates may not be held otherwise than by inheritance. Can any philosophic spoiler undertake to demonstrate the positive or the comparative evil of having a certain, and that too a large portion of landed property, passing in succession through persons whose title to it is, always in theory, and often in fact, an eminent degree of piety, morals, and learning; a property, which, by its destination, in their turn, and on the score of merit, gives to the noblest families renovation and support, to the lowest the means of dignity and elevation; a property, the tenure of which is the performance of some duty, (whatever value you may choose to set upon that duty,) and the character of whose proprietors demands, at least, an exterior decorum, and gravity of manners; who are to exercise a generous but temperate hospitality, part of whose income they are to consider as a trust for charity; and who, even when they fail in their trust, when they slide from their character, and degenerate

into a mere common secular nobleman or gentleman, are in no respect worse than those who may succeed them in their forfeited possessions? Is it better that estates should be held by those who have no duty than by those who have one?—by those whose character and destination point to virtues than by those who have no rule and direction in the expenditure of their estates but their own will and appetite? Nor are these estates held together in the character or with the evils supposed inherent in mortmain. They pass from hand to hand with a more rapid circulation than any other. No excess is good; and therefore too great a proportion of landed property may be held officially for life: but it does not seem to me of material injury to any commonwealth, that there should exist some estates that have a chance of being acquired by other means than the previous acquisition of money.

This letter is grown to a great length, though it is indeed short with regard to the infinite extent of the subject. Various avocations have from time to time called my mind from the subject. I was not sorry to give myself leisure to observe whether, in the proceedings of the National Assembly, I might not find reasons to change or to qualify some of my first sentiments. Everything has confirmed me more strongly in my first opinions. It was my original purpose to take a view of the principles of the National Assembly with regard to the great and fundamental establishments; and to compare the whole of what you have substituted in the place of what you have destroyed, with the several members of our British constitution. But this plan is of greater extent than at first I computed, and I find that you have little desire to take the advantage of any examples. At present I must content myself with some remarks upon your establishments; reserving for another time what I proposed to say concerning the spirit of our British monarchy, aristocracy, and democracy, as practically they exist.

I have taken a view of what has been done by the

governing power in France. I have certainly spoke of it with freedom. Those whose principle it is to despise the ancient, permanent sense of mankind, and to set up a scheme of society on new principles, must naturally expect that such of us who think better of the judgment of the human race than of theirs, should consider both them and their devices as men and schemes upon their trial. They must take it for granted that we attend much to their reason, but not at all to their authority. They have not one of the great influencing prejudices of mankind in their favour. They avow their hostility to opinion. Of course they must expect no support from that influence, which, with every other authority, they have deposed from the seat of its jurisdiction.

I can never consider this assembly as anything else than a voluntary association of men, who have availed themselves of circumstances to seize upon the power of the state. They have not the sanction and authority of the character under which they first met. They have assumed another of a very different nature; and have completely altered and inverted all the relations in which they originally stood. They do not hold the authority they exercise under any constitutional law of the state. They have departed from the instructions of the people by whom they were sent; which instructions, as the assembly did not act in virtue of any ancient usage or settled law, were the sole source of their authority. The most considerable of their acts have not been done by great majorities; and in this sort of near divisions, which carry only the constructive authority of the whole, strangers will consider reasons as well as resolutions.

If they had set up this new, experimental government, as a necessary substitute for an expelled tyranny, mankind would anticipate the time of prescription, which, through long usage, mellows into legality governments that were violent in their commencement. All those who have affections which lead them to the

conservation of civil order would recognize, even in its cradle, the child as legitimate, which has been produced from those principles of cogent expediency to which all just governments owe their birth, and on which they justify their continuance. But they will be late and reluctant in giving any sort of countenance to the operations of a power, which has derived its birth from no law and no necessity ; but which, on the contrary, has had its origin in those vices and sinister practices by which the social union is often disturbed and sometimes destroyed. This assembly has hardly a year's prescription. We have their own word for it that they have made a revolution. To make a revolution is a measure which *prima fronte*, requires an apology. To make a revolution is to subvert the ancient state of our country ; and no common reasons are called for to justify so violent a proceeding. The sense of mankind authorizes us to examine into the mode of acquiring new power, and to criticise on the use that is made of it, with less awe and reverence than that which is usually conceded to a settled and recognized authority.

In obtaining and securing their power, the assembly proceeds upon principles the most opposite to those which appear to direct them in the use of it. An observation on this difference will let us into the true spirit of their conduct. Everything which they have done, or continue to do, in order to obtain and keep their power, is by the most common arts. They proceed exactly as their ancestors of ambition have done before them.—Trace them through all their artifices, frauds, and violences, you can find nothing at all that is new. They follow precedents and examples with the punctilious exactness of a pleader. They never depart an iota from the authentic formulas of tyranny and usurpation. But in all the regulations relative to the public good, the spirit has been the very reverse of this. There they commit the whole to the mercy of untried speculations ; they abandon the dearest interests

of the public to those loose theories, to which none of them would choose to trust the slightest of his private concerns. They make this difference, because in their desire of obtaining and securing power they are thoroughly in earnest ; there they travel in the beaten road. The public interests, because about them they have no real solicitude, they abandon wholly to chance ; I say to chance, because their schemes have nothing in experience to prove their tendency beneficial.

We must always see with a pity not unmixed with respect, the errors of those who are timid and doubtful of themselves with regard to points wherein the happiness of mankind is concerned. But in these gentlemen there is nothing of the tender, parental solicitude, which fears to cut up the infant for the sake of an experiment. In the vastness of their promises, and the confidence of their predictions, they far out-do all the boasting of empirics. The arrogance of their pretensions, in a manner provokes and challenges us to an inquiry into their foundation.

I am convinced that there are men of considerable parts among the popular leaders in the National Assembly. Some of them display eloquence in their speeches and their writings. This cannot be without powerful and cultivated talents. But eloquence may exist without a proportionable degree of wisdom. When I speak of ability, I am obliged to distinguish. What they have done towards the support of their system bespeaks no ordinary men. In the system itself, taken as the scheme of a republic constructed for procuring the prosperity and security of the citizen, and for promoting the strength and grandeur of the state, I confess myself unable to find out anything which displays, in a single instance, the work of a comprehensive and disposing mind, or even the provisions of a vulgar prudence. Their purpose everywhere seems to have been to evade and slip aside from *difficulty*. This it has been the glory of the great masters in all the arts to confront and to overcome ; and when they had over-

come the first difficulty, to turn it into an instrument for new conquests over new difficulties ; thus to enable them to extend the empire of their science ; and even to push forward beyond the reach of their original thoughts, the landmarks of the human understanding itself. Difficulty is a severe instructor, set over us by the supreme ordinance of a parental guardian and legislator, who knows us better than we know ourselves, as he loves us better too. *Pater ipse colendi haud facilem esse viam voluit.* He that wrestles with us strengthens our nerves, and sharpens our skill. Our antagonist is our helper. This amicable conflict with difficulty obliges us to an intimate acquaintance with our object, and compels us to consider it in all its relations. It will not suffer us to be superficial. It is the want of nerves of understanding for such a task, it is the degenerate fondness for tricking short-cuts, and little fallacious facilities, that has in so many parts of the world created governments with arbitrary powers. They have created the late arbitrary monarchy of France. They have created the arbitrary republic of Paris. With them defects in wisdom are to be supplied by the plentitude of force. They get nothing by it. Commencing their labours on a principle of sloth, they have the common fortune of slothful men. The difficulties, which they rather had eluded than escaped, meet them again in their course ; they multiply and thicken on them ; they are involved, through a labyrinth of confused detail, in an industry without limit, and without direction ; and, in conclusion, the whole of their work becomes feeble, vicious, and insecure.

It is this inability to wrestle with difficulty which has obliged the arbitrary assembly of France to commence their schemes of reform with abolition and total destruction.* But is it in destroying and pulling down

* A leading member of the assembly, M. Rabaud de St. Etienne, has expressed the principle of all their proceedings as clearly as possible—Nothing can be more simple :—‘*Tous les établissements en France*

that skill is displayed? Your mob can do this as well at least as your assemblies. The shallowest understanding, the rudest hand, is more than equal to that task. Rage and frenzy will pull down more in half an hour than prudence, deliberation, and foresight can build up in a hundred years. The errors and defects of old establishments are visible and palpable. It calls for little ability to point them out; and, where absolute power is given, it requires but a word wholly to abolish the vice and the establishment together. The same lazy but restless disposition, which loves sloth and hates quiet, directs these politicians, when they come to work for supplying the place of what they have destroyed. To make everything the reverse of what they have seen is quite as easy as to destroy. No difficulties occur in what has never been tried. Criticism is almost baffled in discovering the defects of what has not existed; and eager enthusiasm and cheating hope have all the wide field of imagination, in which they may expatiate with little or no opposition.

At once to preserve and to reform is quite another thing. When the useful parts of an old establishment are kept, and what is superadded is to be fitted to what is retained, a vigorous mind, steady, persevering attention, various powers of comparison and combination, and the resources of an understanding fruitful in expedients are to be exercised; they are to be exercised in a continued conflict with the combined force of opposite vices, with the obstinacy that rejects all improvement, and the levity that is fatigued and disgusted with everything of which it is in possession.

couronnent le malheur du peuple; pour le rendre heureux il faut le renouveler; changer ses idées; changer ses loix; changer ses mœurs; . . . changer les hommes; changer les choses; changer les mots . . . tout détruire; oui, tout détruire; puisque tout est à recréer. This gentleman was chosen president in an assembly not sitting at *Quinze-vingt*, or the *Petits Maisons*; and composed of persons giving themselves out to be rational beings; but neither his ideas, language, or conduct, differ in the smallest degree from the discourses, opinions, and actions of those within and without the assembly, who direct the operations of the machine now at work in France.

But you may object—‘A process of this kind is slow. It is not fit for an assembly, which glories in performing in a few months the work of ages. Such a mode of reforming, possibly, might take up many years.’ Without question it might; and it ought. It is one of the excellences of a method in which time is amongst the assistants, that its operation is slow, and in some cases almost imperceptible. If circumspection and caution are a part of wisdom, when we work only upon inanimate matter, surely they become a part of duty too, when the subject of our demolition and construction is not brick and timber, but sentient beings, by the sudden alteration of whose state, condition, and habits, multitudes may be rendered miserable. But it seems as if it were the prevalent opinion in Paris that an unfeeling heart and an undoubting confidence are the sole qualifications for a perfect legislator. Far different are my ideas of that high office. The true lawgiver ought to have a heart full of sensibility. He ought to love and respect his kind, and to fear himself. It may be allowed to his temperament to catch his ultimate object with an intuitive glance; but his movements towards it ought to be deliberate. Political arrangement, as it is a work for social ends, is to be only wrought by social means. There mind must conspire with mind. Time is required to produce that union of minds which alone can produce all the good we aim at. Our patience will achieve more than our force. If I might venture to appeal to what is so much out of fashion in Paris, I mean to experience, I should tell you that in my course I have known and, according to my measure, have co-operated with great men; and I have never yet seen any plan which has not been mended by the observations of those who were much inferior in understanding to the person who took the lead in the business. By a slow but well-sustained progress, the effect of each step is watched; the good or ill success of the first gives light to us in the second; and so, from light to light, we are conducted with safety through the

whole series. We see that the parts of the system do not clash. The evils latent in the most promising contrivances are provided for as they arise. One advantage is as little as possible sacrificed to another. We compensate, we reconcile, we balance. We are enabled to unite into a consistent whole the various anomalies and contending principles that are found in the minds and affairs of men. From hence arises, not an excellence in simplicity, but, one far superior, an excellence in composition. Where the great interests of mankind are concerned through a long succession of generations, that succession ought to be admitted into some share in the councils which are so deeply to affect them. If justice requires this, the work itself requires the aid of more minds than one age can furnish. It is from this view of things that the best legislators have been often satisfied with the establishment of some sure, solid, and ruling principle in government ; a power like that which some of the philosophers have called a plastic nature ; and, having fixed the principle, they have left it afterwards to its own operation.

To proceed in this manner, that is, to proceed with a presiding principle, and a prolific energy, is with me the criterion of profound wisdom. What your politicians think the marks of a bold, hardy genius, are only proofs of a deplorable want of ability. By their violent haste, and their defiance of the process of nature, they are delivered over blindly to every projector and adventurer, to every alchymist and empiric. They despair of turning to account anything that is common. Diet is nothing in their system of remedy. The worst of it is that this their despair of curing common distempers by regular methods, arises not only from defect of comprehension, but, I fear, from some malignity of disposition. Your legislators seem to have taken their opinions of all professions, ranks, and offices, from the declamations and buffooneries of satirists ; who would themselves be astonished if they were held to the letter of their own descriptions. By listening only to these,

your leaders regard all things only on the side of their vices and faults, and view those vices and faults under every colour of exaggeration. It is undoubtedly true, though it may seem paradoxical; but in general, those who are habitually employed in finding and displaying faults, are unqualified for the work of reformation: because their minds are not only unfurnished with patterns of the fair and good, but by habit they come to take no delight in the contemplation of those things. By hating vices too much, they come to love men too little. It is therefore not wonderful that they should be indisposed and unable to serve them. From hence arises the complexional disposition of some of your guides to pull everything in pieces. At this malicious game they display the whole of their *quadrumanous* activity. As to the rest, the paradoxes of eloquent writers, brought forth purely as a sport of fancy, to try their talents, to rouse attention, and excite surprise, are taken up by these gentlemen, not in the spirit of the original authors, as means of cultivating their taste and improving their style. These paradoxes become with them serious grounds of action, upon which they proceed in regulating the most important concerns of the state. Cicero ludicrously describes Cato as endeavouring to act, in the commonwealth, upon the school paradoxes, which exercised the wits of the junior students in the Stoic philosophy. If this was true of Cato, these gentlemen copy after him in the manner of some persons who lived about his time—*pede nudo Catonem*. Mr. Hume told me that he had from Rousseau himself the secret of his principles of composition. That acute, though eccentric observer, had perceived, that to strike and interest the public, the marvellous must be produced; that the marvellous of the heathen mythology had long since lost its effects; that giants, magicians, fairies, and heroes of romance which succeeded, had exhausted the portion of credulity which belonged to their age; that now nothing was left to a writer but that species of the marvellous, which might

still be produced, and with as great an effect as ever, though in another way; that is, the marvellous in life, in manners, in characters, and in extraordinary situations, giving rise to new and unlooked for strokes in politics and morals. I believe that, were Rousseau alive and in one of his lucid intervals, he would be shocked at the practical frenzy of his scholars, who in their paradoxes are servile imitators; and even in their incredulity discover an implicit faith.

Men who undertake considerable things, even in a regular way, ought to give us ground to presume ability. But the physician of the state, who, not satisfied with the cure of distempers, undertakes to regenerate constitutions, ought to show uncommon powers. Some very unusual appearances of wisdom ought to display themselves on the face of the designs of those, who appeal to no practice and who copy after no model. Has any such been manifested? I shall take a view (it shall for the subject be a very short one) of what the assembly has done with regard, first, to the constitution of the legislature; in the next place, to that of the executive power; then to that of the judicature; afterwards to the model of the army; and conclude with the system of finance; to see whether we can discover in any part of their schemes the portentous ability which may justify these bold undertakers in the superiority which they assume over mankind.

It is in the model of the sovereign and presiding part of this new republic that we should expect their grand display. Here they were to prove their title to their proud demands. For the plan itself at large, and for the reasons on which it is grounded, I refer to the journals of the assembly of the 29th of September, 1789, and to the subsequent proceedings which have made any alterations in the plan. So far as in a matter somewhat confused I can see light, the system remains substantially as it has been originally framed. My few remarks will be such as regard its spirit, its tendency,

and its fitness for framing a popular commonwealth, which they profess theirs to be, suited to the ends for which any commonwealth and particularly such a commonwealth, is made. At the same time I mean to consider its consistency with itself and its own principles.

Old establishments are tried by their effects. If the people are happy, united, wealthy, and powerful, we presume the rest. We conclude that to be good from whence good is derived. In old establishments various correctives have been found for their aberrations from theory. Indeed they are the results of various necessities and expediencies. They are not often constructed after any theory; theories are rather drawn from them. In them we often see the end best obtained where the means seem not perfectly reconcilable to what we may fancy was the original scheme. The means taught by experience may be better suited to political ends than those contrived in the original project. They again re-act upon the primitive constitution, and sometimes improve the design itself, from which they seem to have departed. I think all this might be curiously exemplified in the British constitution. At worst, the errors and deviations of every kind in reckoning are found and computed, and the ship proceeds in her course. This is the case of old establishments; but in a new and merely theoretic system, it is expected that every contrivance shall appear, on the face of it, to answer its ends; especially where the projectors are no way embarrassed with an endeavour to accommodate the new building to an old one, either in the walls or on the foundations.

The French builders, clearing away as mere rubbish whatever they found, and, like their ornamental gardeners, forming everything into an exact level, propose to rest the whole local and general legislature on three bases of three different kinds; one geometrical, one arithmetical, and the third financial; the first of which they call the *basis of territory*; the second, the *basis*

of *population*; and the third, the *basis of contribution*. For the accomplishment of the first of these purposes, they divide the area of their country into eighty-three pieces, regularly square, of eighteen leagues by eighteen. These large divisions are called *Departments*. These they portion, proceeding by square measurement, into seventeen hundred and twenty districts, called *Communes*. These again they subdivide, still proceeding by square measurement, into smaller districts, called *Cantons*, making in all 6,400.

At first view this geometrical basis of theirs presents not much to admire or to blame. It calls for no great legislative talents. Nothing more than an accurate land surveyor, with his chain, sight, and theodolite, is requisite for such a plan as this. In the old divisions of the country, various accidents at various times, and the ebb and flow of various properties and jurisdictions, settled their bounds. These bounds were not made upon any fixed system undoubtedly. They were subject to some inconveniences; but they were inconveniences for which use had found remedies, and habit had supplied accommodation and patience. In this new pavement of square within square, and this organization, and semi-organization made on the system of Empedocles and Buffon, and not upon any politic principle, it is impossible that innumerable local inconveniences, to which men are not habituated, must not arise. But these I pass over, because it requires an accurate knowledge of the country, which I do not possess, to specify them.

When these state surveyors came to take a view of their work of measurement, they soon found that in politics the most fallacious of all things was geometrical demonstration. They had then recourse to another basis (or rather buttress) to support the building, which tottered on that false foundation. It was evident that the goodness of the soil, the number of the people, their wealth, and the largeness of their contribution, made such infinite variations between square and

square, as to render mensuration a ridiculous standard of power in the commonwealth, and equality in geometry the most unequal of all measures in the distribution of men. However, they could not give it up. But dividing their political and civil representation into three parts, they allotted one of those parts to the square measurement, without a single fact or calculation to ascertain whether this territorial proportion of representation was fairly assigned, and ought upon any principle really to be a third. Having, however, given to geometry this portion (of a third for her dower) out of compliment, I suppose, to that sublime science, they left the other two to be scuffled for between the other parts, population and contribution.

When they came to provide for population, they were not able to proceed quite so smoothly as they had done in the field of their geometry. Here their arithmetic came to bear upon their juridical metaphysics. Had they stuck to their metaphysic principles, the arithmetical process would be simple indeed. Men with them are strictly equal, and are entitled to equal rights in their own government. Each head, on this system, would have its vote, and every man would vote directly for the person who was to represent him in the legislature. 'But soft—by regular degrees, not yet.' This metaphysic principle, to which law, custom, usage, policy, reason, were to yield, is to yield itself to their pleasure. There must be many degrees, and some stages, before the representative can come in contact with his constituent. Indeed, as we shall soon see, these two persons are to have no sort of communion with each other. First, the voters in the *Canton*, who compose what they call *primary assemblies*, are to have a *qualification*. What! a qualification on the infeasible rights of men? Yes; but it shall be a very small qualification. Our injustice shall be very little oppressive; only the local valuation of three days' labour paid to the public. Why, this is not much, I readily admit, for anything but the utter subversion

of your equalizing principle. As a qualification it might as well be let alone ; for it answers no one purpose for which qualifications are established ; and, on your ideas, it excludes from a vote the man of all others whose natural equality stands the most in need of protection and defence : I mean the man who has nothing else but his natural equality to guard him. You order him to buy the right, which you before told him nature had given to him gratuitously at his birth, and of which no authority on earth could lawfully deprive him. With regard to the person who cannot come up to your market, a tyrannous aristocracy, as against him, is established at the very outset, by you who pretend to be his sworn foe.

The gradation proceeds. These primary assemblies of the *Canton* elect deputies to the *Commune* ; one for every two hundred qualified inhabitants. Here is the first medium put between the primary elector and the representative legislator ; and here a new turnpike is fixed for taxing the rights of men with a second qualification : for none can be elected into the *Commune* who does not pay the amount of ten days' labour. Nor have we yet done. There is still to be another gradation.* These *Communes*, chosen by the *Canton*, choose to the *Department* ; and the deputies of the *Department* choose their deputies to the *National Assembly*. Here is a third barrier of a senseless qualification. Every deputy to the National Assembly must pay, in direct contribution, to the value of a *mark of silver*. Of all these qualifying barriers we must think alike ; that they are impotent to secure independence ; strong only to destroy the rights of men.

* The assembly, in executing the plan of their committee, made some alterations. They have struck out one stage in these gradations ; this removes a part of the objection ; but the main objection, namely, that in their scheme the first constituent voter has no connexion with the representative legislator, remains in all its force. There are other alterations, some possibly for the better, some certainly for the worse : but to the author the merit or demerit of these smaller alterations appears to be of no moment, where the scheme itself is fundamentally vicious and absurd.

In all this process, which in its fundamental elements affects to consider only *population* upon a principle of natural right, there is a manifest attention to *property*; which, however just and reasonable on other schemes, is on theirs perfectly unsupportable.

When they come to their third basis, that of *Contribution*, we find that they have more completely lost sight of the rights of men. This last basis rests *entirely* on property. A principle totally different from the equality of men, and utterly irreconcilable to it, is thereby admitted; but no sooner is this principle admitted, than (as usual) it is subverted; and it is not subverted (as we shall presently see) to approximate the inequality of riches to the level of nature. The additional share in the third portion of representation (a portion reserved exclusively for the higher contribution) is made to regard the *district* only, and not the individuals in it who pay. It is easy to perceive, by the course of their reasonings, how much they were embarrassed by their contradictory ideas of the rights of men and the privileges of riches. The committee of constitution do as good as admit that they are wholly irreconcilable. 'The relation with regard to the contributions, is without doubt *null* (say they) when the question is on the balance of the political rights as between individual and individual; without which *personal equality would be destroyed*, and an *aristocracy of the rich* would be established. But this inconvenience entirely disappears when the proportional relation of the contribution is only considered in the *great masses*, and is solely between province and province; it serves in that case only to form a just reciprocal proportion between the cities, without affecting the personal rights of the citizens.'

Here the principle of *contribution*, as taken between man and man, is reprobated as *null*, and destructive to equality; and as pernicious too; because it leads to the establishment of an *aristocracy of the rich*. However, it must not be abandoned. And the way of get-

ting rid of the difficulty is to establish the inequality as between department and department, leaving all the individuals in each department upon an exact par. Observe that this parity between individuals had been before destroyed, when the qualifications within the departments were settled; nor does it seem a matter of great importance whether the equality of men be injured by masses or individually. An individual is not of the same importance in a mass represented by a few, as in a mass represented by many. It would be too much to tell a man, jealous of his equality, that the elector has the same franchise who votes for three members as he who votes for ten.

Now take it in the other point of view, and let us suppose their principle of representation according to contribution, that is according to riches, to be well imagined, and to be a necessary basis for their republic. In this their third basis they assume that riches ought to be respected, and that justice and policy require that they should entitle men, in some mode or other, to a larger share in the administration of public affairs; it is now to be seen how the assembly provides for the pre-eminence, or even for the security of the rich, by conferring, in virtue of their opulence, that larger measure of power to their district which is denied to them personally. I readily admit (indeed I should lay it down as a fundamental principle) that in a republican government, which has a democratic basis, the rich do require an additional security above what is necessary to them in monarchies. They are subject to envy and through envy to oppression. On the present scheme it is impossible to divine what advantage they derive from the aristocratic preference upon which the unequal representation of the masses is founded. The rich cannot feel it, either as a support to dignity, or as security to fortune: for the aristocratic mass is generated from purely democratic principles; and the preference given to it in the general representation has no sort of reference to, or connexion with, the persons,

upon account of whose property this superiority of the mass is established. If the contrivers of this scheme meant any sort of favour to the rich, in consequence of their contribution, they ought to have conferred the privilege either on the individual rich, or on some class formed of rich persons (as historians represent Servius Tullius to have done in the early constitution of Rome); because the contest between the rich and the poor is not a struggle between corporation and corporation but a contest between men and men; a competition not between districts, but between descriptions. It would answer its purpose better if the scheme were inverted; that the votes of the masses were rendered equal; and that the votes within each mass were proportioned to property.

Let us suppose one man in a district (it is an easy supposition) to contribute as much as a hundred of his neighbours. Against these he has but one vote. If there were but one representative for the mass, his poor neighbours would outvote him by a hundred to one for that single representative. Bad enough. But amends are to be made him. How? The district, in virtue of his wealth, is to choose, say ten members instead of one: that is to say, by paying a very large contribution he has the happiness of being outvoted, a hundred to one, by the poor, for ten representatives, instead of being outvoted exactly in the same proportion for a single member. In truth, instead of benefiting by this superior quantity of representation, the rich man is subjected to an additional hardship. The increase of representation within his province sets up nine persons more, and as many more than nine as there may be democratic candidates, to cabal and intrigue, and to flatter the people at his expense and to his oppression. An interest is by this means held out to multitudes of the inferior sort, in obtaining a salary of eighteen livres a day (to them a vast object) besides the pleasure of a residence in Paris, and their share in the government of the kingdom. The more the

objects of ambition are multiplied and become democratic, just in that proportion the rich are endangered.

Thus it must fare between the poor and the rich in the province deemed aristocratic, which in its internal relation is the very reverse of that character. In its external relation, that is, in its relation to the other provinces, I cannot see how the unequal representation, which is given to masses on account of wealth, becomes the means of preserving the equipoise and the tranquillity of the commonwealth. For if it be one of the objects to secure the weak from being crushed by the strong (as in all society undoubtedly it is) how are the smaller and poorer of these masses to be saved from the tyranny of the more wealthy? Is it by adding to the wealthy further and more systematical means of oppressing them? When we come to a balance of representation, between corporate bodies, provincial interests, emulations, and jealousies are full as likely to arise among them as among individuals; and their divisions are likely to produce a much hotter spirit of dissension, and something leading much more nearly to a war.

I see that these aristocratic masses are made upon what is called the principle of direct contribution: Nothing can be a more unequal standard than this. The indirect contribution, that which arises from duties on consumption, is in truth a better standard, and follows and discovers wealth more naturally than this of direct contribution. It is difficult, indeed, to fix a standard of local preference on account of the one, or of the other, or of both, because some provinces may pay the more of either or of both, on account of causes not intrinsic, but originating from those very districts over whom they have obtained a preference in consequence of their ostensible contribution. If the masses were independent, sovereign bodies, who were to provide for a federative treasury by distinct contingents, and that the revenue had not (as it has) many impositions running through the whole, which

affect men individually, and not corporately, and which, by their nature, confound all territorial limits, something might be said for the basis of contribution as founded on masses. But of all things, this representation, to be measured by contribution, is the most difficult to settle upon principles of equity in the country, which considers its districts as members of a whole. For a great city, such as Bordeaux, or Paris, appears to pay a vast body of duties, almost out of all assignable proportion to other places, and its mass is considered accordingly. But are these cities the true contributors in that proportion? No. The consumers of the commodities imported into Bordeaux, who are scattered through all France, pay the import duties of Bordeaux. The produce of the vintage in Guienne and Languedoc give to that city the means of its contribution growing out of an export commerce. The landholders who spend their estates in Paris, and are thereby the creators of that city, contribute for Paris from the provinces out of which their revenues arise. Very nearly the same arguments will apply to the representative share given on account of *direct* contribution: because the direct contribution must be assessed on wealth real or presumed; and that local wealth will itself arise from causes not local and which therefore in equity ought not to produce a local preference.

It is very remarkable that in this fundamental regulation which settles the representation of the mass upon the direct contribution, they have not yet settled how that direct contribution shall be laid, and how apportioned. Perhaps there is some latent policy towards the continuance of the present assembly in this strange procedure. However, until they do this, they can have no certain constitution. It must depend at last upon the system of taxation, and must vary with every variation in that system. As they have contrived matters, their taxation does not so much depend on their constitution, as their constitution on their taxation. This must introduce great confusion

among the masses ; as the variable qualification for votes within the district must, if ever real contested elections take place, cause infinite internal controversies.

To compare together the three bases, not on their political reason, but on the ideas on which the assembly works, and to try its consistency with itself, we cannot avoid observing, that the principle which the committee call the basis of *population*, does not begin to operate from the same point with the two other principles called the bases of *territory* and of *contribution*, which are both of an aristocratic nature. The consequence is that, where all three begin to operate together, there is the most absurd inequality produced by the operation of the former on the two latter principles. Every canton contains four square leagues, and is estimated to contain, on the average, 4,000 inhabitants, or 680 voters in the *primary assemblies*, which vary in numbers with the population of the canton, and send *one deputy* to the *commune* for every 200 voters. *Nine cantons* make a *commune*.

Now let us take a *canton* containing a *seaport town of trade*, or a *great manufacturing town*. Let us suppose the population of this canton to be 12,700 inhabitants, or 2,193 voters, forming *three primary assemblies*, and sending *ten deputies* to the *commune*.

Oppose to this *one canton* *two* others of the remaining eight in the same commune. These we may suppose to have their fair population of 4,000 inhabitants, and 680 voters each, or 8,000 inhabitants and 1,360 voters, both together. These will form only *two primary assemblies*, and send only *six* deputies to the *commune*.

When the assembly of the *commune* comes to vote on the *basis of territory*, which principle is first admitted to operate in that assembly, the *single canton* which has *half* the territory of the *other two*, will have *ten* voices to *six* in the election of *three deputies* to the assembly of the department, chosen on the express ground of a representation of territory. This inequality, striking as it is, will be yet highly aggravated, if we

suppose, as we fairly may, the *several* other cantons of the *commune* to fall proportionably short of the average population, as much as the *principal* canton exceeds it.

Now as to *the basis of contribution*, which also is a principle admitted first to operate in the assembly of the *commune*. Let us again take *one* canton, such as is stated above. If the whole of the direct contributions paid by a great trading or manufacturing town be divided equally among the inhabitants, each individual will be found to pay much more than an individual living in the country according to the same average. The whole paid by the inhabitants of the former will be more than the whole paid by the inhabitants of the latter—we may fairly assume one-third more. Then the 12,700 inhabitants, or 2,193 voters of the canton will pay as much as 19,050 inhabitants, or 3,289 voters of the *other cantons*, which are nearly the estimated proportion of inhabitants and voters of *five* other cantons. Now the 2,193 votes will, as I before said, send only *ten* deputies to the assembly; the 3,289 voters will send *sixteen*. Thus, for an *equal* share in the contribution of the whole *commune*, there will be a difference of *sixteen* voices to *ten* in voting for deputies to be chosen on the principle of representing the general contribution of the whole *commune*.

By the same mode of computation we shall find 15,875 inhabitants, or 2,741 voters of the *other* cantons, who pay *one-sixth* LESS to the contribution of the whole *commune*, will have *three* voices MORE than the 12,700 inhabitants, or 2,193 voters of the *one* canton,

Such is the fantastical and unjust inequality between mass and mass, in this curious repartition of the rights of representation arising out of *territory* and *contribution*. The qualifications which these confer are in truth negative qualifications, [that give a right in an inverse proportion to the possession of them.

In this whole contrivance of the three bases, consider it in any light you please, I do not see a variety of objects reconciled in one consistent whole, but several

contradictory principles reluctantly and irreconcilably brought and held together by your philosophers, like wild beasts shut up in a cage, to claw and bite each other to their mutual destruction.

I am afraid I have gone too far into their way of considering the formation of a constitution. They have much, but bad, metaphysics; much, but bad, geometry; much, but false, proportionate arithmetic; but if it were all as exact as metaphysics, geometry, and arithmetic ought to be, and if their schemes were perfectly consistent in all their parts, it would make only a more fair and sightly vision. Is it remarkable, that, in a great arrangement of mankind, not one reference whatsoever is to be found to anything moral or anything politic; nothing that relates to the concerns, the actions, the passions, the interests of men. *Hominem non sapiunt.*

You see I only consider this constitution as electoral, and leading by steps to the National Assembly. I do not enter into the internal government of the departments, and their genealogy through the communes and cantons. These local governments are, in the original plan, to be as nearly as possible composed in the same manner and on the same principles with the elective assemblies. They are each of them bodies perfectly compact and rounded in themselves.

You cannot but perceive in this scheme that it has a direct and immediate tendency to sever France into a variety of republics, and to render them totally independent of each other, without any direct constitutional means of coherence, connexion, or subordination, except what may be derived from their acquiescence in the determinations of the general congress of the ambassadors from each independent republic. Such in reality is the National Assembly, and such governments I admit do exist in the world, though in forms infinitely more suitable to the local and habitual circumstances of their people. But such associations, rather than bodies politic, have generally been the effect of neces-

sity, not choice ; and I believe the present French power is the very first body of citizens who, having obtained full authority to do with their country what they pleased, have chosen to dissever it in this barbarous manner.

It is impossible not to observe that, in the spirit of this geometrical distribution and arithmetical arrangement, these pretended citizens treat France exactly like a country of conquest. Acting as conquerors, they have imitated the policy of the harshest of that harsh race. The policy of such barbarous victors, who condemn a subdued people and insult their feelings, has ever been, as much as in them lay, to destroy all vestiges of the ancient country, in religion, in polity, in laws and in manners ; to confound all territorial limits ; to produce a general poverty ; to put up their properties to auction ; to crush their princes, nobles, and pontiffs ; to lay low everything which had lifted its head above the level, or which could serve to combine or rally, in their distresses, the disbanded people, under the standard of old opinion. They have made France free in the manner in which those sincere friends to the rights of mankind, the Romans, freed Greece, Macedon, and other nations. They destroyed the bonds of their union, under colour of providing for the independence of each of their cities.

When the members who compose these new bodies of cantons, communes, and departments, arrangements purposely produced through the medium of confusion, begin to act, they will find themselves, in a great measure, strangers to one another. The electors and elected throughout, especially in the rural *cantons*, will be frequently without any civil habitudes or connexions, or any of that natural discipline which is the soul of a true republic. Magistrates and collectors of revenue are now no longer acquainted with their districts, bishops with their dioceses, or curates with their parishes. These new colonies of the rights of men bear a strong resemblance to that sort of military colonies which

Tacitus has observed upon in the declining policy of Rome. In better and wiser days (whatever course they took with foreign nations) they were careful to make the elements of a methodical subordination and settlement to be coeval; and even to lay the foundations of discipline in the military.* But, when all the good arts had fallen into ruin, they proceeded, as your assembly does, upon the equality of men, and with as little judgment and as little care for those things which make a republic tolerable or durable. But in this, as well as almost every instance, your new commonwealth is born, and bred, and fed, in those corruptions which mark degenerated and worn-out republics. Your child comes into the world with the symptoms of death; the *facies Hippocratica* forms the character of its physiognomy, and the prognostic of its fate.

The legislators who framed the ancient republics knew that their business was too arduous to be accomplished with no better apparatus than the metaphysics of an undergraduate, and the mathematics and arithmetic of an exciseman. They had to do with men and they were obliged to study human nature. They had to do with citizens and they were obliged to study the effects of those habits which are communicated by the circumstances of civil life. They were sensible that the operation of this second nature on the first produced a new combination; and thence arose many diversities amongst men, according to their birth, their education, their professions, the periods of their lives, their residence in towns or in the country, their several ways of acquiring and of fixing property, and according to the quality of the property itself, all which rendered them

* Non, ut olim, universae legiones deducebantur cum tribunis, et centurionibus, et sui cujusque ordinis militibus, ut consensu et caritate rempublicam afficerent; sed ignoti inter se, diversis manipulis, sine rectore, sine affectibus mutuis, quasi ex alio genere mortalium, repente in unum collecti, numerus magis quam colonia. Tac. Annal. l. 14, sect. 27. All this will be still more applicable to the unconnected, rotatory, biennial national assemblies, in this absurd and senseless constitution.

as it were so many different species of animals. From hence they thought themselves obliged to dispose their citizens into such classes, and to place them in such situations in the state as their peculiar habits might qualify them to fill, and to allot to them such appropriated privileges as might secure to them what their specific occasions required, and which might furnish to each description such force as might protect it in the conflict caused by the diversity of interests that must exist, and must contend, in all complex society: for the legislator would have been ashamed that the coarse husbandman should well know how to assort and to use his sheep, horses, and oxen, and should have enough of common sense not to abstract and equalize them all into animals, without providing for each kind an appropriate food, care, and employment; whilst he, the economist, disposer, and shepherd of his own kindred, subliming himself into an airy metaphysician, was resolved to know nothing of his flocks but as men in general. It is for this reason that Montesquieu observed very justly that, in their classification of the citizens, the great legislators of antiquity made the greatest display of their powers, and even soared above themselves. It is here that your modern legislators have gone deep into the negative series and sunk even below their own nothing. As the first sort of legislators attended to the different kinds of citizens, and combined them into one commonwealth, the others, the metaphysical and alchemistical legislators, have taken the directly contrary course. They have attempted to confound all sorts of citizens, as well as they could, into one homogeneous mass; and then they divided this their amalgama into a number of incoherent republics. They reduce men to loose counters, merely for the sake of simple telling, and not to figures whose power is to arise from their place in the table. The elements of their own metaphysics might have taught them better lessons. The trol of their categorical table might have informed them that there was something else in the

intellectual world besides *substance* and *quantity*. They might learn from the catechism of metaphysics that there were eight heads more,* in every complex deliberation, which they have never thought of; though these, of all the ten, are the subjects on which the skill of man can operate anything at all.

So far from this able disposition of some of the old republican legislators, which follows with a solicitous accuracy the moral conditions and propensities of men, they have levelled and crushed together all the orders which they found, even under the coarse unartificial arrangement of the monarchy, in which mode of government the classing of the citizens is not of so much importance as in a republic. It is true, however, that every such classification, if properly ordered, is good in all forms of government; and composes a strong barrier against the excesses of despotism, as well as it is the necessary means of giving effect and permanence to the republic. For want of something of this kind, if the present project of a republic should fail, all securities to a moderated freedom fail along with it; all the indirect restraints which mitigate despotism are removed; insomuch that if monarchy should ever again obtain an entire ascendancy in France, under this or any other dynasty, it will probably be, if not voluntarily tempered, at setting out, by the wise and virtuous counsels of the prince, the most completely arbitrary power that has ever appeared on earth. This is to play a most desperate game.

The confusion which attends on all such proceedings, they even declare to be one of their objects, and they hope to secure their constitution by a terror of a return of those evils which attended their making it. 'By this,' say they, 'its destruction will become difficult to authority, which cannot break it up without the entire disorganization of the whole state.' They presume, that if this authority should ever come to the same degree of power that they have acquired, it would

* Qualitas, Relatio, Actio, Passio, Ubi, Quando, Situs, Habitus.

make a more moderate and chastised use of it, and would piously tremble entirely to disorganize the state in the savage manner that they have done. They expect from the virtues of returning despotism, the security which is to be enjoyed by the offspring of their popular vices.

I wish, sir, that you and my readers would give an attentive perusal to the work of M. de Calonne on this subject. It is indeed not only an eloquent but an able and instructive performance. I confine myself to what he says relative to the constitution of the new state and to the condition of the revenue. As to the disputes of this minister with his rivals, I do not wish to pronounce upon them. As little do I mean to hazard any opinion concerning his ways and means, financial or political, for taking his country out of its present disgraceful and deplorable situation of servitude, anarchy, bankruptcy, and beggary. I cannot speculate quite so sanguinely as he does: but he is a Frenchman, and has a closer duty relative to those objects, and better means of judging of them, than I can have. I wish that the formal avowal which he refers to, made by one of the principal leaders in the assembly concerning the tendency of their scheme to bring France not only from a monarchy to a republic, but from a republic to a mere confederacy, may be very particularly attended to. It adds new force to my observations; and indeed M. de Calonne's work supplies my deficiencies by many new and striking arguments on most of the subjects of this letter.*

It is this resolution, to break their country into separate republics, which has driven them into the greatest number of their difficulties and contradictions. If it were not for this, all the questions of exact equality, and these balances, never to be settled, of individual rights, population, and contribution, would be wholly useless. The representation, though derived from parts, would be a duty which equally regarded the whole. Each deputy to the assembly would be the

* See l'État de la France, p. 363.

representative of France, and of all its descriptions, of the many and of the few, of the rich and of the poor, of the great districts and of the small. All these districts would themselves be subordinate to some standing authority, existing independently of them, an authority in which their representation, and everything that belongs to it, originated, and to which it was pointed. This standing, unalterable, fundamental government would make, and it is the only thing which could make, that territory truly and properly a whole. With us, when we elect popular representatives, we send them to a council, in which each man individually is a subject, and submitted to a government complete in all its ordinary functions. With you the elective assembly is the sovereign, and the sole sovereign; all the members are therefore integral parts of this sole sovereignty. But with us it is totally different. With us the representative, separated from the other parts, can have no action and no existence. The government is the point of reference of the several members and districts of our representation. This is the centre of our unity. This government of reference is a trustee for the *whole*, and not for the parts. So is the other branch of our public council, I mean the House of Lords. With us the king and the lords are several and joint securities for the equality of each district, each province, each city. When did you hear in Great Britain of any province suffering from the inequality of its representation; what district from having no representation at all? Not only our monarchy and our peerage secure the equality on which our unity depends, but it is the spirit of the House of Commons itself. The very inequality of representation, which is so foolishly complained of, is perhaps the very thing which prevents us from thinking or acting as members for districts. Cornwall elects as many members as all Scotland. But is Cornwall better taken care of than Scotland? Few trouble their heads about any of your bases, out of some giddy clubs. Most of those who wish for any

change, upon any plausible grounds, desire it on different ideas.

Your new constitution is the very reverse of ours in its principle ; and I am astonished how any persons could dream of holding out anything done in it, as an example for Great Britain. With you there is little, or rather no connexion between the last representative and the first constituent. The member who goes to the National Assembly is not chosen by the people, nor accountable to them. There are three elections before he is chosen ; two sets of magistracy intervene between him and the primary assembly, so as to render him, as I have said, an ambassador of a state, and not the representative of the people within a state. By this the whole spirit of the election is changed ; nor can any corrective, which your constitution-mongers have devised, render him anything else than what he is. The very attempt to do it would inevitably introduce a confusion, if possible, more horrid than the present. There is no way to make a connexion between the original constituent and the representative, but by the circuitous means which may lead the candidate to apply in the first instance to the primary electors, in order that by their authoritative instructions (and something more perhaps) these primary electors may force the two succeeding body of electors to make a choice agreeable to their wishes. But this would plainly subvert the whole scheme. It would be to plunge them back into that tumult and confusion of popular election which, by their interposed gradation of elections, they mean to avoid, and at length to risk the whole fortune of the state with those who have the least knowledge of it and the least interest in it. This is a perpetual dilemma, into which they are thrown by the vicious, weak, and contradictory principles they have chosen. Unless the people break up and level this gradation, it is plain that they do not at all substantially elect to the assembly ; indeed they elect as little in appearance as reality.

What is it we all seek for in an election? To answer its real purposes; you must first possess the means of knowing the fitness of your man; and then you must retain some hold upon him by personal obligation or dependence. For what end are these primary electors complimented, or rather mocked with a choice? They can never know anything of the qualities of him that is to serve them nor has he any obligation whatsoever to them. Of all the powers unfit to be delegated by those who have any real means of judging, that most peculiarly unfit is what relates to a *personal* choice. In case of abuse that body of primary electors can never call the representative to an account for his conduct. He is too far removed from them in the chain of representation. If he acts improperly at the end of his two years' lease, it does not concern him for two years more. By the new French constitution the best and the wisest representatives go equally with the worst into this *Limbus Patrum*. Their bottoms are supposed foul and they must go into dock to be refitted. Every man who has served in an assembly is ineligible for two years after. Just as these magistrates begin to learn their trade, like chimney-sweepers, they are disqualified for exercising it. Superficial, new, petulant acquisition, and interrupted, dronish, broken, ill recollection, is to be the destined character of all your future governors. Your constitution has too much of jealousy to have much of sense in it. You consider the breach of trust in the representative so principally that you do not at all regard the question of his fitness to execute it.

This purgatory interval is not unfavourable to a faithless representative, who may be as good a canvasser as he was a bad governor. In this time he may cabal himself into a superiority over the wisest and most virtuous. As, in the end, all the members of this elective constitution are equally fugitive, and exist only for the election, they may be no longer the same persons who had chosen him, to whom he is to be respon-

sible when he solicits for a renewal of his trust. To call all the secondary electors of the *commune* to account, is ridiculous, impracticable, and unjust; they may themselves have been deceived in their choice, as the third set of electors, those of the *département*, may be in theirs. In your elections responsibility cannot exist.

Finding no sort of principle of coherence with each other in the nature and constitution of the several new republics of France, I considered what cement the legislators had provided for them from any extraneous materials. Their confederations, their *spectacles*, their civic feasts, and their enthusiasm, I take no notice of; they are nothing but mere tricks; but, tracing their policy through their actions, I think I can distinguish the arrangements by which they propose to hold these republics together. The first is the *confiscation*, with the compulsory paper currency annexed to it; the second is the supreme power of the city of Paris; the third, is the general army of the state. Of this last I shall reserve what I have to say until I come to consider the army as a head by itself.

As to the operation of the first (the confiscation and paper currency) merely as a cement, I cannot deny that these, the one depending on the other, may for some time compose some sort of cement, if their madness and folly in the management, and in the tempering of the parts together, does not produce a repulsion in the very outset. But allowing to the scheme some coherence and some duration, it appears to me that if, after a while, the confiscation should not be found sufficient to support the paper coinage (as I am morally certain it will not), then, instead of cementing, it will add infinitely to the dissociation, distraction, and confusion of these confederate republics, both with relation to each other, and to the several parts within themselves. But if the confiscation should so far succeed as to sink the paper currency, the cement is gone with the circulation. In the meantime its binding force will be very

uncertain and it will straighten or relax with every variation in the credit of the paper

One thing only is certain in this scheme, which is an effect seemingly collateral, but direct, I have no doubt, in the minds of those who conduct this business, that is, its effect in producing an *oligarchy* in every one of the republics. A paper circulation, not founded on any real money deposited or engaged for, amounting already to four-and-forty millions of English money, and this currency by force substituted in the place of the coin of the kingdom, becoming thereby the substance of its revenue, as well as the medium of all its commercial and civil intercourse, must put the whole of what power, authority, and influence is left, in any form whatsoever it may assume, into the hands of the managers and conductors of this circulation.

In England we feel the influence of the Bank ; though it is only the centre of a voluntary dealing. He knows little indeed of the influence of money upon mankind who does not see the force of the management of a monied concern, which is so much more extensive, and in its nature so much more depending on the managers than any of ours. But this is not merely a money concern. There is another member in the system inseparably connected with this money management. It consists in the means of drawing out at discretion portions of the confiscated lands for sale ; and carrying on a process of continual transmutation of paper into land, and of land into paper. When we follow this process in its effects, we may conceive something of the intensity of the force with which this system must operate. By this means the spirit of money jobbing and speculation goes into the mass of land itself, and incorporates with it. By this kind of operation, that species of property becomes (as it were) volatilized ; it assumes an unnatural and monstrous activity, and thereby throws into the hands of the several managers, principal and subordinate, Parisian and provincial, all the representative of money, and

perhaps a full tenth part of all the land in France, which has now acquired the worst and most pernicious part of the evil of a paper circulation, the greatest possible uncertainty in its value. They have reversed the Latonian kindness to the landed property of Delos. They have sent theirs to be blown about, like the light fragments of a wreck, *oras et littora circum*.

The new dealers, being all habitually adventurers, and without any fixed habits or local predilections, will purchase to job out again, as the market of paper, or of money, or of land, shall present an advantage. For though a holy bishop thinks that agriculture will derive great advantages from the 'enlightened' usurers who are to purchase the church confiscations, I, who am not a good, but an old farmer, with great humility beg leave to tell his late lordship that usury is not tutor of agriculture; and if the word 'enlightened' be understood according to the new dictionary, as it always is in your new schools, I cannot conceive how a man's not believing in God can teach him to cultivate the earth with the least of any additional skill or encouragement. 'Diis immortalibus sero,' said an old Roman, when he held one handle of the plough, whilst Death held the other. Though you were to join in the commission all the directors of the two academies to the directors of the *Caisse d'Escompte*, an old experienced peasant is worth them all. I have got more information upon a curious and interesting branch of husbandry, in one short conversation with an old Carthusian monk, than I have derived from all the Bank directors that I have ever conversed with. However, there is no cause for apprehension from the meddling of money-dealers with rural economy. These gentlemen are too wise in their generation. At first, perhaps, their tender and susceptible imaginations may be captivated with the innocent and unprofitable delights of a pastoral life; but in a little time they will find that agriculture is a trade much more laborious, and much less lucrative than that which they had left. After making its pane-

gyric, they will turn their backs on it like their great precursor and prototype. They may, like him, begin by singing '*Beatus ille*'—but what will be the end?

Hæc ubi locutus fœnerator Alphius,
Jam jam futurus rusticus
Omnem relegit idibus pecuniam;
Quærit calendis ponere.

They will cultivate the *Caisse d'Église*, under the sacred auspices of this prelate, with much more profit than its vineyards and its corn-fields. They will employ their talents according to their habits and their interests. They will not follow the plough whilst they can direct treasuries and govern provinces.

Your legislators, in everything new, are the very first who have founded a commonwealth upon gaming, and infused this spirit into it as its vital breath. The great object in these politics is to metamorphose France, from a great kingdom into one great play-table; to turn its inhabitants into a nation of gamblers; to make speculation as extensive as life; to mix it with all its concerns; and to divert the whole of the hopes and fears of the people from their usual channels into the impulses, passions, and superstitions of those who live on chances. They loudly proclaim their opinion that this their present system of a republic cannot possibly exist without this kind of gaming fund; and that the very thread of its life is spun out of the staple of these speculations. The old gaming in funds was mischievous enough undoubtedly; but it was so only to individuals. Even when it had its greatest extent, in the Mississippi and South Sea, it affected but few, comparatively; where it extends further, as in lotteries, the spirit has but a single object. But where the law, which in most circumstances forbids and in none countenances gaming, is itself debauched, so as to reverse its nature and policy, and expressly to force the subject to this destructive table, by bringing the spirit and symbols of gaming into the minutest matters,

and engaging everybody in it, and in everything, a more dreadful epidemic distemper of that kind is spread than yet has appeared in the world. With you a man can neither earn nor buy his dinner without a speculation. What he receives in the morning will not have the same value at night. What he is compelled to take as pay for an old debt will not be received as the same when he comes to pay a debt contracted by himself; nor will it be the same when by prompt payment he would avoid contracting any debt at all. Industry must wither away. Economy must be driven from your country. Careful provision will have no existence. Who will labour without knowing the amount of his pay? Who will study to increase what none can estimate? Who will accumulate when he does not know the value of what he saves? If you abstract it from its uses in gaming, to accumulate your paper wealth, would be not the providence of a man, but the distempered instinct of a jackdaw.

The truly melancholy part of the policy of systematically making a nation of gamblers is this, that, though all are forced to play, few can understand the game; and fewer still are in a condition to avail themselves of that knowledge. The many must be the dupes of the few who conduct the machine of these speculations. What effect it must have on the country people is visible. The townsman can calculate from day to day; not so the inhabitant of the country. When the peasant first brings his corn to market, the magistrate in the town obliges him to take the assignat at par; when he goes to the shop with this money, he finds it seven per cent. the worse for crossing the way. This market he will not readily resort to again. The townspeople will be inflamed! they will force the countrypeople to bring their corn. Resistance will begin, and the murders of Paris and St. Denis may be renewed all through France.

What signifies the empty compliment paid to the country, by giving it, perhaps, more than its share in

the theory of your representation? Where have you placed the real power over monied and landed circulation? Where have you placed the means of raising and falling the value of every man's freehold? Those, whose operations can take from, or add ten per cent. to, the possessions of every man in France, must be the masters of every man in France. The whole of the power obtained by this revolution will settle in the towns among the burghers and the monied directors who lead them. The landed gentleman, the yeoman, and the peasant have, none of them, habits, or inclinations, or experience, which can lead them to any share in this the sole source of power and influence now left in France. The very nature of a country life, the very nature of landed property, in all the occupations, and all the pleasures they afford, render combination and arrangement (the sole way of procuring and exerting influence) in a manner impossible amongst country people. Combine them by all the art you can, and all the industry, they are always dissolving into individuality. Anything in the nature of incorporation is almost impracticable amongst them. Hope, fear, alarm, jealousy, the ephemeral tale that does its business, and dies in a day, all these things, which are the reins and spurs by which leaders check or urge the minds of followers, are not easily employed, or hardly at all, amongst scattered people. They assemble, they arm, they act with the utmost difficulty, and at the greatest charge. Their efforts, if ever they can be commenced cannot be sustained. They cannot proceed systematically. If the country gentlemen attempt an influence through the mere income of their property, what is it to that of those who have ten times their income to sell, and who can ruin their property by bringing their plunder to meet it at market? If the landed man wishes to mortgage, he falls the value of his land and raises the value of assignats. He augments the power of his enemy by the very means he must take to contend with him. The country gentleman therefore, the officer by sea and

land, the man of liberal views and habits, attached to no profession, will be as completely excluded from the government of his country as if he were legislatively proscribed. It is obvious that in the towns all the things which conspire against the country gentlemen combine in favour of the money manager and director. In towns combination is natural. The habits of burghers, their occupations, their diversion, their business, their idleness, continually bring them into mutual contact. Their virtues and their vices are sociable; they are always in garrison; and they come embodied and half disciplined into the hands of those who mean to form them for civil or military action.

All these considerations leave no doubt on my mind that, if this monster of a constitution can continue, France will be wholly governed by the agitators in corporations, by societies in the towns formed of directors in assignats, and trustees for the sale of church lands, attorneys, agents, money jobbers, speculators, and adventurers, composing an ignoble oligarchy, founded on the destruction of the crown, the church, the nobility, and the people. Here end all the deceitful dreams and visions of the equality and rights of men. In 'the Serbonian bog' of this base oligarchy they are all absorbed, sunk, and lost for ever.

Though human eyes cannot trace them, one would be tempted to think some great offences in France must cry to heaven, which has thought fit to punish it with a subjection to a vile and inglorious domination, in which no comfort or compensation is to be found in any even of those false splendours which, playing about other tyrannies, prevent mankind from feeling themselves dishonoured even whilst they are oppressed. I must confess I am touched with a sorrow, mixed with some indignation, at the conduct of a few men, once of great rank, and still of great character, who, deluded with specious names, have engaged in a business too deep for the line of their understanding to fathom; who have lent their fair reputation, and the authority of their high-

sounding names, to the designs of men with whom they could not be acquainted ; and have thereby made their very virtues operate to the ruin of their country.

So far as to the first cementing principle.

The second material of cement for their new republic is the superiority of the city of Paris : and this I admit is strongly connected with the other cementing principle of paper circulation and confiscation. It is in this part of the project we must look for the cause of the destruction of all the old bounds of provinces and jurisdictions, ecclesiastical and secular, and the dissolution of all ancient combinations of things, as well as the formation of so many small unconnected republics. The power of the city of Paris is evidently one great spring of all their politics. It is through the power of Paris, now become the centre and focus of jobbing, that the leaders of this faction direct, or rather command, the whole legislative and the whole executive government. Everything therefore must be done which can confirm the authority of that city over the other republics. Paris is compact ; she has an enormous strength, wholly disproportioned to the force of any of the square republics ; and this strength is collected and condensed within a very narrow compass. Paris has a natural and easy connexion of its parts, which will not be affected by any scheme of a geometrical constitution, nor does it much signify whether its proportion of representation be more or less, since it has the whole draft of fishes in its drag-net. The other divisions of the kingdom being hackled and torn to pieces, and separated from all their habitual means and even principles of union, cannot, for some time at least, confederate against her. Nothing was to be left in all the subordinate members but weakness, disconnexion, and confusion. To confirm this part of the plan, the assembly has lately come to a resolution that no two of their republics shall have the same commander-in-chief.

To a person who takes a view of the whole, the strength of Paris, thus formed, will appear a system of general

weakness. It is boasted that the geometrical policy has been adopted, that all local ideas should be sunk, and that the people should be no longer Gascons, Picards, Bretons, Normans; but Frenchmen, with one country, one heart, and one assembly. But instead of being all Frenchmen, the greater likelihood is, that the inhabitants of that region will shortly have no country. No man ever was attached by a sense of pride, partiality, or real affection to a description of square measurements. He never will glory in belonging to the chequer No. 71, or to any other badge-ticket. We begin our public affections in our families. No cold relation is a zealous citizen. We pass on to our neighbourhoods, and our habitual provincial connexions. These are inns and resting places. Such divisions of our country as have been formed by habit, and not by a sudden jerk of authority, were so many little images of the great country in which the heart found something which it could fill. The love to the whole is not extinguished by this subordinate partiality. Perhaps it is a sort of elemental training to those higher and more large regards, by which alone men come to be affected, as with their own concern, in the prosperity of a kingdom so extensive as that of France. In that general territory itself, as in the old name of provinces, the citizens are interested from old prejudices and unreasoned habits, and not on account of the geometric properties of its figure. The power and pre-eminence of Paris, does certainly press down and hold these republics together as long as it lasts. But, for the reasons I have already given you, I think it cannot last very long.

Passing from the civil creating and the civil cementing principles of this constitution to the National Assembly which is to appear and act as sovereign, we see a body in its constitution with every possible power, and no possible external control. We see a body without fundamental laws, without established maxims, without respected rules of proceeding, which nothing can keep firm to any system whatsoever. Their idea of their

powers is always taken at the utmost stretch of legislative competency, and their examples for common cases from the exception of the most urgent necessity. The future is to be in most respects like the present assembly ; but by the mode of the new elections and the tendency of the new circulations, it will be purged of the small degree of internal control existing in a minority chosen originally from various interests, and preserving something of their spirit. If possible, the next assembly must be worse than the present. The present, by destroying and altering everything, will leave to their successors apparently nothing popular to do. They will be roused by emulation and example to enterprises the boldest and the most absurd. To suppose such an assembly sitting in perfect quietude is ridiculous.

Your all-sufficient legislators, in their hurry to do everything at once, have forgot one thing that seems essential, and which, I believe, never has been before, in the theory or the practice, omitted by any projector of a republic. They have forgot to constitute a *senate*, or something of that nature and character. Never, before this time, was heard of a body politic composed of one legislative and active assembly, and its executive officers, without such a council ; without something to which foreign states might connect themselves ; something to which, in the ordinary detail of government, the people could look up ; something which might give a bias and steadiness and preserve something like consistency in the proceedings of state. Such a body kings generally have as a council. A monarchy may exist without it : but it seems to be in the very essence of a republican government. It holds a sort of middle place between the supreme power exercised by the people, or immediately delegated from them, and the mere executive. Of this there are no traces in your constitution ; and in providing nothing of this kind, your Solons and Numas have, as much as in any thing else, discovered a sovereign incapacity.

Let us now turn our eyes to what they have done

towards the formation of an executive power. For this they have chosen a degraded king. This their first executive officer is to be a machine, without any sort of deliberative discretion in any one act of his function. At best he is but a channel to convey to the National Assembly such matter as it may import that body to know. If he had been made the exclusive channel, the power would not have been without its importance ; though infinitely perilous to those who would choose to exercise it. But public intelligence and statement of facts may pass to the assembly with equal authenticity, through any other conveyance. As to the means, therefore, of giving a direction to measures by the statement of an authorized reporter, this office of intelligence is as nothing.

To consider the French scheme for an executive officer, in its two natural divisions of civil and political—in the first it must be observed that, according to the new constitution, the higher parts of judicature, in either of its lines, are not in the king. The King of France is not the fountain of justice. The judges, neither the original nor the appellate, are of his nomination. He neither proposes the candidates, nor has a negative on the choice. He is not even the public prosecutor. He serves only as a notary to authenticate the choice made of the judges in the several districts. By his officers he is to execute their sentence. When we look into the true nature of his authority, he appears to be nothing more than a chief of bumbailiffs, serjeants-at-mace, catchpoles, jailers, and hangmen. It is impossible to place anything called royalty in a more degrading point of view. A thousand times better had it been for the dignity of this unhappy prince, that he had nothing at all to do with the administration of justice, deprived as he is of all that is venerable and all that is consolatory in that function, without power of originating any process : without a power of suspension, mitigation or pardon. Everything in justice that is vile and odious is thrown upon him. It was not for nothing that the assembly has been at such pains to

remove the stigma from certain offices, when they were resolved to place the person who had lately been their king in a situation but one degree above the executioner, and in an office nearly of the same quality. It is not in nature that, situated as the King of the French now is, he can respect himself or can be respected by others.

View this new executive officer on the side of his political capacity, as he acts under the orders of the National Assembly. To execute laws is a royal office ; to execute orders is not to be a king. However, a political executive magistracy, though merely such, is a great trust. It is a trust, indeed, that has much depending upon its faithful and diligent performance, both in the person presiding in it and in all its subordinates. Means of performing this duty ought to be given by regulation ; and dispositions towards it ought to be infused by the circumstances attendant on the trust. It ought to be environed with dignity, authority, and consideration, and it ought to lead to glory. The office of execution is an office of exertion. It is not from impotence we are to expect the tasks of power. What sort of person is a king to command executory service, who has no means whatsoever to reward it ? Not in a permanent office ; not in a grant of land ; no, not in a pension of fifty pounds a year ; not in the vainest and most trivial title. In France the king is no more the fountain of honour than he is the fountain of justice. All rewards, all distinctions, are in other hands. Those who serve the king can be actuated by no natural motive but fear ; by a fear of everything except their master. His functions of internal coercion are as odious as those which he exercises in the department of justice. If relief is to be given to any municipality, the assembly gives it. If troops are to be sent to reduce them to obedience to the assembly, the king is to execute the order ; and upon every occasion he is to be spattered over with the blood of his people. He has no negative ; yet his name and authority is used to enforce every harsh decree. Nay, he must concur in the butchery of those who shall attempt to free him from

his imprisonment, or show the slightest attachment to his person or to his ancient authority.

Executive magistracy ought to be constituted in such a manner that those who compose it should be disposed to love and to venerate those whom they are bound to obey. A purposed neglect, or, what is worse, a little but perverse and malignant obedience must be the ruin of the wisest councils. In vain will the law attempt to anticipate or to follow such studied neglects and fraudulent attentions. To make them act zealously is not in the competence of law. Kings, even such as are truly kings, may and ought to bear the freedom of subjects that are obnoxious to them. They may too, without derogating from themselves, bear even the authority of such persons, if it promotes their service. Louis XIII mortally hated the Cardinal de Richelieu; but his support of that minister against his rivals was the source of all the glory of his reign and the solid foundation of his throne itself. Louis XIV, when come to the throne, did not love the Cardinal Mazarin; but for his interests he preserved him in power. When old, he detested Louvois; but for years, whilst he faithfully served his greatness, he endured his person. When George II took Mr. Pitt, who certainly was not agreeable to him, into his councils, he did nothing which could humble a wise sovereign. But these ministers who were chosen by affairs, not by affections, acted in the name of, and in trust for, kings; and not as their avowed, constitutional, and ostensible masters. I think it impossible that any king, when he has recovered his first terrors, can cordially infuse vivacity and vigour into measures which he knows to be dictated by those, who, he must be persuaded, are in the highest degree ill affected to his person. Will any ministers who serve such a king (or whatever he may be called) with but a decent appearance of respect cordially obey the orders of those whom but the other day in his name they had committed to the Bastille? will they obey the orders of those whom, whilst they were exercising despotic justice upon them, they conceived they were treating

with lenity ; and for whom, in a prison, they thought they had provided an asylum ? If you expect such obedience, amongst your other innovations and regenerations, you ought to make a revolution in nature and provide a new constitution for the human mind. Otherwise, your supreme government cannot harmonize with its executory system. There are cases in which we cannot take up with names and abstractions. You may call half a dozen leading individuals, whom we have reason to fear and hate, the nation. It makes no difference than to make us fear and hate them the more. If it had been thought justifiable and expedient to make such a revolution by such means, and through such persons, as you have made yours, it would have been more wise to have completed the business of the fifth and sixth of October. The new executive officer would then owe his situation to those who are his creators as well as his masters ; and he might be bound in interest, in the society of crime, and (if in crimes there could be virtues) in gratitude to serve those who had promoted him to a place of great lucre and great sensual indulgence ; and of something more : for more he must have received from those who certainly would not have limited an aggrandized creature, as they have done a submitting antagonist.

A king circumstanced as the present, if he is totally stupified by his misfortunes, so as to think it not the necessity, but the premium and privilege of life, to eat and sleep, without any regard to glory, can never be fit for the office. If he feels as men commonly feel, he must be sensible that an office so circumstanced is one in which he can obtain no fame or reputation. He has no generous interest that can excite him to action. At best, his conduct will be passive and defensive. To inferior people such an office might be matter of honour. But to be raised to it, and to descend to it, are different things, and suggest different sentiments. Does he *really* name the ministers ? They will have a sympathy with him. Are they forced upon him ? The whole business between them and the nominal king will be mutual

counteraction. In all other countries the office of ministers of state is of the highest dignity. In France it is full of peril, and incapable of glory. Rivals, however, they will have in their nothingness, whilst shallow ambition exists in the world, or the desire of a miserable salary is an incentive to short-sighted avarice. Those competitors of the ministers are enabled by your constitution to attack them in their vital parts, whilst they have not the means of repelling their charges in any other than the degrading character of culprits. The ministers of state in France are the only persons in that country who are incapable of a share in the national councils. What ministers! What councils! What a nation! But they are responsible. It is a poor service that is to be had from responsibility. The elevation of mind to be derived from fear will never make a nation glorious. Responsibility prevents crimes. It makes all attempts against the laws dangerous. But for a principle of active and zealous service, none but idiots could think of it. Is the conduct of a war to be trusted to a man who may abhor its principle; who, in every step he may take to render it successful, confirms the power of those by whom he is oppressed? Will foreign states seriously treat with him who has no prerogative of peace or war; no, not so much as in a single vote by himself or his ministers, or by any one whom he can possibly influence? A state of contempt is not a state for a prince: better get rid of him at once.

I know it will be said that these humours in the court and executive government will continue only through this generation; and that the king has been brought to declare the dauphin shall be educated in a conformity to his situation. If he is made to conform to his situation, he will have no education at all. His training must be worse even than that of an arbitrary monarch. If he reads—whether he reads or not, some good or evil genius will tell him his ancestors were kings. Thenceforward his object must be to assert himself and to avenge his parents. This you will say is not his duty.

That may be ; but it is nature ; and whilst you pique nature against you, you do unwisely to trust to duty. In this futile scheme of polity the state nurses in its bosom, for the present, a source of weakness, perplexity, counteraction, inefficiency, and decay ; and it prepares the means of its final ruin. In short, I see nothing in the executive force (I cannot call it authority) that has even an appearance of vigour, or that has the smallest degree of just correspondence or symmetry, or amicable relation with the supreme power, either as it now exists or as it is planned for the future government.

You have settled, by an economy as perverted as the policy, two * establishments of government ; one real, one fictitious. Both maintained at a vast expense ; but the fictitious at, I think, the greatest. Such a machine as the latter is not worth the grease of its wheels. The expense is exorbitant ; and neither the show nor the use deserve the tenth part of the charge. Oh ! but I don't do justice to the talents of the legislators : I don't allow, as I ought to do, for necessity. Their scheme of executive force was not their choice. This pageant must be kept. The people would not consent to part with it. Right ; I understand you. You do, in spite of your grand theories, to which you would have heaven and earth to bend, you do know how to conform yourselves to the nature and circumstances of things. But when you were obliged to conform thus far to circumstances, you ought to have carried your submission farther, and to have made, what you were obliged to take, a proper instrument and useful to its end. That was in your power. For instance, among many others, it was in your power to leave to your king the right of peace and war. What ! to leave to the executive magistrate the most dangerous of all prerogatives ? I know none more dangerous nor any one more necessary to be so trusted. I do not say that this prerogative ought to be trusted to

* In reality three, to reckon the provincial republican establishments.

your king, unless he enjoyed other auxiliary trusts along with it, which he does not now hold. But, if he did possess them, hazardous as they are undoubtedly, advantages would arise from such a constitution, more than compensating the risk. There is no other way of keeping the several potentates of Europe from intriguing distinctly and personally with the members of your assembly, from intermeddling in all your concerns, and fomenting, in the heart of your country, the most pernicious of all factions; factions in the interest and under the direction of foreign powers. From that worst of evils, thank God, we are still free. Your skill, if you had any, would be well employed to find out indirect correctives and controls upon this perilous trust. If you did not like those which in England we have chosen, your leaders might have exerted their abilities in contriving better. If it were necessary to exemplify the consequences of such an executive government as yours, in the management of great affairs, I should refer you to the late reports of M. de Montmorin to the National Assembly and all the other proceedings relative to the differences between Great Britain and Spain. It would be treating your understanding with disrespect to point them out to you.

I hear that the persons who are called ministers have signified an intention of resigning their places. I am rather astonished that they have not resigned long since. For the universe I would not have stood in the situation in which they have been for this last twelvemonth. They wished well, I take it for granted, to the revolution. Let this fact be as it may, they could not, placed as they were upon an eminence, though an eminence of humiliation, but be the first to see collectively, and to feel each in his own department, the evils which have been produced by that revolution. In every step which they took, or forbore to take, they must have felt the degraded situation of their country, and their utter incapacity of serving it. They are in a species of subordinate servitude, in which no men

before them were ever seen. Without confidence from their sovereign, on whom they were forced, or from the assembly who forced them upon him, all the noble functions of their office are executed by committees of the assembly, without any regard whatsoever to their personal, or their official authority. They are to execute, without power; they are to be responsible, without discretion; they are to deliberate, without choice. In their puzzled situation, under two sovereigns, over neither of whom they have any influence, they must act in such a manner as (in effect, whatever they may intend) sometimes to betray the one, sometimes the other, and always to betray themselves. Such has been their situation; such must be the situation of those who succeed them. I have much respect, and many good wishes, for Mr. Necker. I am obliged to him for attentions. I thought, when his enemies had driven him from Versailles, that his exile was a subject of most serious congratulation—*sed multæ urbes et publica vota vicerunt*. He is now sitting on the ruins of the finances and of the monarchy of France.

A great deal more might be observed on the strange constitution of the executory part of the new government; but fatigue must give bounds to the discussion of subjects which in themselves have hardly any limits.

As little genius and talent am I able to perceive in the plan of judicature formed by the National Assembly. According to their invariable course, the framers of your constitution have begun with the utter abolition of the parliaments. These venerable bodies, like the rest of the old government, stood in need of reform, even though there should be no change made in the monarchy. They required several more alterations to adapt them to the system of a free constitution. But they had particulars in their constitution, and those not a few, which deserved approbation from the wise. They possessed one fundamental excellence; they were independent. The most doubtful circumstance attendant on their office, that of its being vendible,

contributed, however, to this independency of character. They held for life. Indeed, they may be said to have held by inheritance. Appointed by the monarch, they were considered as nearly out of his power. The most determined exertions of that authority against them only showed their radical independence. They composed permanent bodies politic, constituted to resist arbitrary innovation; and from that corporate constitution, and from most of their forms, they were well calculated to afford both certainty and stability to the laws. They had been a safe asylum to secure these laws in all the revolutions of humour and opinion. They had saved that sacred deposit of the country during the reigns of arbitrary prices, and the struggles of arbitrary factions. They kept alive the memory and record of the constitution. They were the great security to private property; which might be said (when personal liberty had no existence) to be, in fact, as well guarded in France as in any other country. Whatever is supreme in a state, ought to have as much as possible its judicial authority so constituted, as not only not to depend upon it but in some sort to balance it. It ought to give a security to its justice against its power. It ought to make its judicature, as it were, something exterior to the state.

These parliaments had furnished, not the best certainly, but some considerable corrective to the excesses and vices of the monarchy. Such an independent judicature was ten times more necessary when a democracy became the absolute power of the country. In that constitution, elective, temporary, local judges, such as you have contrived, exercising their dependent functions in a narrow society, must be the worst of all tribunals. In them it will be vain to look for any reappearance of justice towards strangers, towards the obnoxious rich, towards the minority of routed parties, towards all those who in the election have supported unsuccessful candidates. It will be impossible to keep the new tribunals clear of the worst spirit of faction.

All contrivances by ballot we know experimentally to be vain and childish to prevent a discovery of inclinations. Where they may the best answer the purposes of concealment, they answer to produce suspicion, and this is a still more mischievous cause of partiality.

If the parliaments had been preserved, instead of being dissolved at so ruinous a change to the nation, they might have served in this new commonwealth, perhaps not precisely the same (I do not mean an exact parallel) but nearly the same purposes as the court and senate of Areopagus did in Athens; that is, as one of the balances and correctives to the evils of a light and unjust democracy. Every one knows that this tribunal was the great stay of that state; every one knows with what care it was upheld, and with what a religious awe it was consecrated. The parliaments were not wholly free from faction, I admit; but this evil was exterior and accidental, [and not so much the vice of their constitution itself, as it must be in your new contrivance of sexennial elective judicatories. Several English commend the abolition of the old tribunals, as supposing that they determined everything by bribery and corruption. But they have stood the test of monarchic and republican scrutiny. The court was well disposed to prove corruption on those bodies when they were dissolved in 1771.—Those who have again dissolved them would have done the same if they could—but both inquisitions having failed, I conclude that gross pecuniary corruption must have been rather rare amongst them.

It would have been prudent, along with the parliaments, to preserve their ancient power of registering, and of remonstrating at least, upon all the decrees of the National Assembly, as they did upon those which passed in the time of the monarchy. It would be a means of squaring the occasional decrees of a democracy to some principles of general jurisprudence. The vice of the ancient democracies, and one cause of their ruin, was that they ruled, as you do, by occasional decrees,

psephismata. This practice soon broke in upon the tenor and consistency of the laws; it abated the respect of the people towards them; and totally destroyed them in the end.

Your vesting the power of remonstrance which, in the time of the monarchy, existed in the parliament of Paris, in your principal executive officer, whom, in spite of common sense, you persevere in calling king, is the height of absurdity. You ought never to suffer remonstrance from him who is to execute. This is to understand neither council nor execution; neither authority nor obedience. The person whom you call king, ought not to have this power, or he ought to have more.

Your present arrangement is strictly judicial. Instead of imitating your monarchy, and seating your judges on a bench of independence, your object is to reduce them to the most blind obedience. As you have changed all things, you have invented new principles of order. You first appoint judges, who, I suppose, are to determine according to law, and then you let them know that, at some time or other, you intend to give them some law by which they are to determine. Any studies which they have made (if any they have made) are to be useless to them. But to supply these studies, they are to be sworn to obey all the rules, orders, and instructions, which from time to time they are to receive from the National Assembly. These if they submit to, they leave no ground of law to the subject. They become complete and most dangerous instruments in the hands of the governing power, which, in the midst of a cause, or on the prospect of it, may wholly change the rule of decision. If these orders of the National Assembly come to be contrary to the will of the people, who locally choose those judges, such confusion must happen as is terrible to think of. For the judges owe their places to the local authority; and the commands they are sworn to obey come from those who have no share in their appointment. In the meantime

they have the example of the court of *Châtelet* to encourage and guide them in the exercise of their functions. That court is to try criminals sent to it by the National Assembly, or brought before it by other courses of delation. They sit under a guard to save their own lives. They know not by what law they judge, nor under what authority they act, nor by what tenure they hold. It is thought that they are sometimes obliged to condemn at the peril of their lives. This is not perhaps certain, nor can it be ascertained ; but when they acquit, we know they have seen the persons whom they discharge, with perfect impunity to the actors, hanged at the door of their court.

The assembly indeed promise that they will form a body of law, which shall be short, simple, clear, and so forth. That is by their short laws, they will leave much to the discretion of the judge, whilst they have exploded the authority of all the learning which could make judicial discretion (a thing perilous at best) deserving the appellation of a *sound* discretion.

It is curious to observe, that the administrative bodies are carefully exempted from the jurisdiction of these new tribunals. That is, those persons are exempted from the power of the laws, who ought to be the most entirely submitted to them. Those who execute public pecuniary trusts, ought of all men to be the most strictly held to their duty. One would have thought that it must have been among your earliest cares, if you did not mean that those administrative bodies should be real, sovereign, independent states, to form an awful tribunal, like your late parliaments, or like our king's bench, where all corporate officers might obtain protection in the legal exercise of their functions, and would find coercion if they trespassed against their legal duty. But the cause of the exemption is plain. These administrative bodies are the great instruments of the present leaders in their progress through democracy to oligarchy. They must therefore be put above the law. It will be said that the legal tribunals which

you have made are unfit to coerce them. They are undoubtedly. They are unfit for any rational purpose. It will be said, too, that the administrative bodies will be accountable to the general assembly. This, I fear, is talking without much consideration of the nature of that assembly or of these corporations. However, to be subject to the pleasure of that assembly, is not to be subject to law either for protection or for constraint.

This establishment of judges as yet wants something to its completion. It is to be crowned by a new tribunal. This is to be a grand state judicature; and it is to judge of crimes committed against the nation, that is, against the power of the assembly. It seems as if they had something in their view of the nature of the high court of justice erected in England during the time of the great usurpation. As they have not yet finished this part of the scheme, it is impossible to form a direct judgment upon it. However, if great care is not taken to form it in a spirit very different from that which has guided them in their proceedings^s relative to state offences, this tribunal, subservient to their inquisition, *the committee of research*, will extinguish the last sparks of liberty in France, and settle the most dreadful and arbitrary tyranny ever known in any nation. If they wish to give to this tribunal any appearance of liberty and justice, they must evoke them, or send to it, the causes relative to their own members, at their pleasure. They must also remove the seat of that tribunal out of the republic of Paris.*

Has more wisdom been displayed in the constitution of your army than what is discoverable in your plan of judicature? The able arrangement of this part is the more difficult, and requires the greater skill and attention, not only as a great concern in itself, but as it is the third cementing principle in the new body of republics, which you call the French nation. Truly it is not easy to divine what that army may become at

* For further elucidations upon the subject of all these judicatures, and of the committee of research, see M. de Calonne's work.

last. You have voted a very large one, and on good appointments, at least fully equal to your apparent means of payment. But what is the principle of its discipline? or whom is it to obey? You have got the wolf by the ears, and I wish you joy of the happy position in which you have chosen to place yourselves, and in which you are well circumstanced for a free deliberation, relatively to that army, or to anything else.

The minister and secretary of state for the war department is M. de la Tour du Pin. This gentleman, like his colleagues in administration, is a most zealous assertor of the revolution, and a sanguine admirer of the new constitution, which originated in that event. His statement of facts, relative to the military of France, is important, not only from his official and personal authority, but because it displays very clearly the actual condition of the army in France, and because it throws light on the principles upon which the assembly proceeds, in the administration of this critical object. It may enable us to form some judgment, how far it may be expedient in this country to imitate the martial policy of France.

M. de la Tour du Pin, on the 4th of last June, comes to give an account of the state of his department, as it exists under the auspices of the National Assembly. No man knows it so well; no man can express it better. Addressing himself to the National Assembly, he says, 'His majesty has *this day* sent me to apprise you of the multiplied disorders of which *every day* he receives the most distressing intelligence. The army [le corps militaire] threatens to fall into the most turbulent anarchy. Entire regiments have dared to violate at once the respect due to the laws, to the king, to the order established by your decrees, and to the oaths which they have taken with the most awful solemnity. Compelled by my duty to give you information of these excesses, my heart bleeds when I consider who they are that have committed them. Those, against whom it is not in my power to withhold the

most grievous complaints, are, a part of that very soldiery which to this day have been so full of honour and loyalty, and with whom, for fifty years, I have lived the comrade and the friend.

‘What incomprehensible spirit of delirium and delusion has all at once led them astray? Whilst you are indefatigable in establishing uniformity in the empire and moulding the whole into one coherent and consistent body; whilst the French are taught by you, at once the respect which the laws owe to the rights of man, and that which the citizens owe to the laws, the administration of the army presents nothing but disturbance and confusion. I see in more than one corps the bonds of discipline relaxed or broken; the most unheard-of pretensions avowed directly and without any disguise; the ordinances without force; the chiefs without authority; the military chest and the colours carried off; the authority of the king himself [*risum teneatis?*] proudly defied; the officers despised, degraded, threatened, driven away, and some of them prisoners in the midst of their corps, dragging on a precarious life in the bosom of disgust and humiliation. To fill up the measure of all these horrors, the commandants of places have had their throats cut, under the eyes and almost in the arms of their own soldiers.

‘These evils are great; but they are not the worst consequences which may be produced by such military insurrections. Sooner or later they may menace the nation itself. *The nature of things requires* that the army should never act but as *an instrument*. The moment that, erecting itself into a deliberate body, it shall act according to its own resolutions, the *government, be it what it may, will immediately degenerate into a military democracy*; a species of political monster, which has always ended by devouring those who have produced it.

‘After all this, who must not be alarmed at the irregular consultations, and turbulent committees, formed in some regiments by the common soldiers and non-com-

missioned officers, without the knowledge, or even in contempt of the authority of their superiors ; although the presence and concurrence of those superiors could give no authority to such monstrous democratic assemblies [comices].'

It is not necessary to add much to this finished picture ; finished as far as its canvas admits ; but as I apprehend, not taking in the whole of the nature and complexity of the disorders of this military democracy, which, the minister at war truly and wisely observes, wherever it exists, must be the true constitution of the state, by whatever formal appellation it may pass. For, though he informs the assembly that the more considerable part of the army have not cast off their obedience but are still attached to their duty, yet those travellers, who have seen the corps whose conduct is the best, rather observe in them the absence of mutiny than the existence of discipline.

I cannot help pausing here for a moment, to reflect upon the expressions of surprise which this minister has let fall relative to the excesses he relates. To him the departure of the troops from their ancient principles of loyalty and honour seems quite inconceivable. Surely those to whom he addresses himself know the causes of it but too well. They know the doctrines which they have preached, the decrees which they have passed, the practices which they have countenanced. The soldiers remember the 6th of October. They recollect the French guards. They have not forgotten the taking of the king's castles in Paris and at Marseilles. That the governors in both places were murdered with impunity, is a fact that has not passed out of their minds. They do not abandon the principles laid down so ostentatiously and laboriously of the equality of men. They cannot shut their eyes to the degradation of the whole noblesse of France, and the suppression of the very idea of a gentleman. The total abolition of titles and distinctions is not lost upon them. But M. du Pin is astonished at their

disloyalty, when the doctors of the assembly have taught them at the same time the respect due to laws. It is easy to judge which of the two sorts of lessons men with arms in their hands are likely to learn. As to the authority of the king, we may collect from the minister himself (if any argument on that head were not quite superfluous) that it is not of more consideration with these troops than it is with everybody else. 'The king,' says he, 'has over and over again repeated his orders to put a stop to these excesses: but in so terrible a crisis, *your* [the assembly's] concurrence is become indispensably necessary to prevent the evils which menace the state. *You* unite to the forces of the legislative power, *that of opinion* still more important.' To be sure the army can have no opinion of the power or authority of the king. Perhaps the soldier has by this time learned, that the assembly itself does not enjoy a much greater degree of liberty than that royal figure.

It is now to be seen what has been proposed in this exigency, one of the greatest that can happen in a state. The minister requests the assembly to array itself in all its terrors, and to call forth all its majesty. He desires that the grave and severe principles announced by them may give vigour to the king's proclamation. After this we should have looked for courts civil and martial; breaking of some corps, decimating of others, and all the terrible means which necessity has employed in such cases to arrest the progress of the most terrible of all evils; particularly, one might expect, that a serious inquiry would be made into the murder of commandants in the view of their soldiers. Not one word of all this, or of anything like it. After they had been told that the soldiery trampled upon the decrees of the assembly promulgated by the king, the assembly pass new decrees; and they authorize the king to make new proclamations. After the secretary-at-war had stated that the regiments had paid no regard to oaths *prêtés avec la plus imposante solennité*—they propose—

what? More oaths. They renew decrees and proclamations as they experience their insufficiency, and they multiply oaths in proportion as they weaken, in the minds of men, the sanctions of religion. I hope that handy abridgments of the excellent sermons of Voltaire, d'Alembert, Diderot, and Helvetius, on the Immortality of the Soul, on a particular superintending Providence, and on a Future State of Rewards and Punishments, are sent down to the soldiers along with their civic oaths. Of this I have no doubt; as I understand that a certain description of reading makes no inconsiderable part of their military exercises, and that they are full as well supplied with the ammunition of pamphlets as of cartridges.

To prevent the mischiefs arising from conspiracies, irregular consultations, seditious committees, and monstrous democratic assemblies ['comitia, comices'] of the soldiers, and all the disorders arising from idleness, luxury, dissipation, and insubordination, I believe the most astonishing means have been used that ever occurred to men, even in all the inventions of this prolific age. It is no less than this:—The king has promulgated in circular letters to all the regiments his direct authority and encouragement, that the several corps should join themselves with the clubs and confederations in the several municipalities, and mix with them in their feasts and civic entertainments! This jolly discipline, it seems, is to soften the ferocity of their minds; to reconcile them to their bottle companions of other descriptions; and to merge particular conspiracies in more general associations.* That this remedy would be pleasing to the soldiers, as they are

* Comme sa majesté y a reconnu, non une système d'associations particulières, mais une réunion de volontés de tous les François pour la liberté et la prospérité communes, ainsi pour la maintien de l'ordre publique; il a pensé qu'il convenoit que chaque régiment prit part à ces fêtes civiques pour multiplier les rapports, et referrer les liens d'union entre les citoyens et les troupes.—Lest I should not be credited, I insert the words, authorizing the troops to feast with the popular confederacies.

described by M. de la Tour du Pin, I can readily believe ; and that, however mutinous otherwise, they will dutifully submit themselves to *these* royal proclamations. But I should question whether all this civic swearing, clubbing, and feasting, would dispose them more than at present they are disposed to an obedience to their officers ; or teach them better to submit to the austere rules of military discipline. It will make them admirable citizens after the French mode, but not quite so good soldiers after any mode. A doubt might well arise, whether the conversations at these good tables would fit them a great deal the better for the character of *mere instruments*, which this veteran officer and statesman justly observes the nature of things always requires an army to be.

Concerning the likelihood of this improvement in discipline, by the free conversation of the soldiers with the municipal festive societies, which is thus officially encouraged by royal authority and sanction, we may judge by the state of the municipalities themselves, furnished to us by the war minister in this very speech. He conceives good hopes of the success of his endeavours towards restoring order *for the present* from the good disposition of certain regiments ; but he finds something cloudy with regard to the future. As to preventing the return of confusion, ' for this, the administration (says he) cannot be answerable to you, as long as they see the municipalities arrogate to themselves an authority over the troops, which your institutions have reserved wholly to the monarch. You have fixed the limits of the military authority and the municipal authority. You have bounded the action which you have permitted to the latter over the former, to the right of requisition ; but never did the letter or the spirit of your decrees authorize the commons in these municipalities to break the officers, to try them, to give orders to the soldiers, to drive them from the posts committed to their guard, to stop them in their marches ordered by the king, or, in a word, to enslave the troops

to the caprice of each of the cities, or even market towns, through which they are to pass.'

Such is the character and disposition of the municipal society which is to reclaim the soldiery, to bring them back to the true principles of military subordination, and to render them machines in the hands of the supreme power of the country! Such are the distempers of the French troops! Such is their cure! As the army is, so is the navy. The municipalities supersede the orders of the assembly, and the seamen in their turn supersede the orders of the municipalities. From my heart I pity the condition of a respectable servant of the public, like this war minister, obliged in his old age to pledge the assembly in their civic cups, and to enter with a hoary head into all the fantastic vagaries of these juvenile politicians. Such schemes are not like propositions coming from a man of fifty years' wear and tear amongst mankind. They seem rather such as ought to be expected from those grand compounders in politics who shorten the road to their degrees in the state; and have a certain inward fanatical assurance and illumination upon all subjects; upon the credit of which one of their doctors has thought fit, with great applause, and greater success, to caution the assembly not to attend to old men, or to any persons who valued themselves upon their experience. I suppose all the ministers of state must qualify, and take this test; wholly abjuring the errors and heresies of experience and observation. Every man has his own relish. But I think if I could not attain to the wisdom, I would at least preserve something of the stiff and peremptory dignity of age. These gentlemen deal in regeneration: but at any price I should hardly yield my rigid fibres to be regenerated by them; nor begin, in my grand climacteric, to squall in their new accents, or to stammer in my second cradle, the elemental sounds of their barbarous metaphysics.* *Si isti mihi largiantur ut repuerascam, et in eorum cunis vagiam, valde recusem!*

* The war minister has since quitted the school, and resigned his office.

The imbecility of any part of the puerile and pedantic system, which they call a constitution, cannot be laid open without discovering the utter insufficiency and mischief of every other part with which it comes in contact, or that bears any the remotest relation to it. You cannot propose a remedy for the incompetence of the crown, without displaying the debility of the assembly. You cannot deliberate on the confusion of the army of the state, without disclosing the worse disorders of the armed municipalities. The military lays open the civil, and the civil betrays the military anarchy. I wish everybody carefully to peruse the eloquent speech (such it is) of Mons. de la Tour du Pin. He attributes the salvation of the municipalities to the good behaviour of some of the troops. These troops are to preserve the well-disposed part of the municipalities, which is confessed to be the weakest, from the pillage of the worst disposed, which is the strongest. But the municipalities affect a sovereignty, and will command those troops which are necessary for their protection. Indeed they must command them or court them. The municipalities, by the necessity of their situation, and by the republican powers they have obtained, must, with relation to the military, be the masters, or the servants, or the confederates, or each successively; or they must make a jumble of all together, according to circumstances. What government is there to coerce the army but the municipality, or the municipality but the army? To preserve concord where authority is extinguished, at the hazard of all consequences, the assembly attempts to cure the distempers by the distempers themselves; and they hope to preserve themselves from a purely military democracy by giving it a debauched interest in the municipal.

If the soldiers once come to mix for any time in the municipal clubs, cabals, and confederacies, an elective attraction will draw them to the lowest and most desperate part. With them will be their habits, affections,

and sympathies. The military conspiracies, which are to be remedied by civic confederacies; the rebellious municipalities, which are to be rendered obedient by furnishing them with the means of seducing the very armies of the state that are to keep them in order; all these chimeras of a monstrous and portentous policy must aggravate the confusion from which they have arisen. There must be blood. The want of common judgment manifested in the construction of all their descriptions of forces, and in all their kinds of civil and judicial authorities, will make it flow. Disorders may be quieted in one time and in one part. They will break out in others; because the evil is radical and intrinsic. All these schemes of mixing mutinous soldiers with seditious citizens must weaken still more and more the military connexion of soldiers with their officers, as well as add military and mutinous audacity to turbulent artificers and peasants. To secure a real army, the officer should be first and last in the eye of the soldier; first and last in his attention, observance and esteem. Officers it seems there are to be, whose chief qualification must be temper and patience. They are to manage their troops by electioneering arts. They must bear themselves as candidates, not as commanders. But as by such means power may be occasionally in their hands, the authority by which they are to be nominated becomes of high importance.

What you may do finally does not appear; nor is it of much moment, whilst the strange and contradictory relation between your army and all the parts of your republic, as well as the puzzled relation of those parts to each other and to the whole, remain as they are. You seem to have given the provisional nomination of the officers, in the first instance, to the king, with a reserve of approbation by the National Assembly. Men who have an interest to pursue are extremely sagacious in discovering the true seat of power. They must soon perceive that those who can negative indefinitely in reality appoint. The officers must there-

fore look to their intrigues in the assembly, as the sole, certain road to promotion. Still, however, by your new constitution they must begin their solicitation at court. This double negotiation for military rank seems to me a contrivance as well adapted, as if it were studied for no other end, to promote faction in the assembly itself, relative to this past military patronage ; and then to poison the corps of officers with factions of a nature still more dangerous to the safety of government upon any bottom on which it can be placed, and destructive in the end to the efficacy of the army itself. Those officers, who lose the promotions intended for them by the crown, must become of a faction opposite to that of the assembly which has rejected their claims, and must nourish discontents in the heart of the army against the ruling powers. Those officers, on the other hand, who, by carrying their point through an interest in the assembly, feel themselves to be at best only second in the good-will of the crown, though first in that of the assembly, must slight an authority which would not advance and could not retard their promotion. If to avoid these evils you will have no other rule for command or promotion than seniority, you will have an army of formality ; at the same time it will become more independent and more of a military republic. Not they, but the king is the machine. A king is not to be deposed by halves. If he is not everything in the command of an army, he is nothing. What is the effect of a power placed nominally at the head of the army, who to that army is no object of gratitude or of fear ? Such a cipher is not fit for the administration of an object, of all things the most delicate, the supreme command of military men. They must be constrained (and their inclinations lead them to what their necessities require) by a real, vigorous, effective, decided, personal authority. The authority of the assembly itself suffers by passing through such a debilitating channel as they have chosen. The army will not long look to an assembly acting through the organ of false show, and

palpable imposition. They will not seriously yield obedience to a prisoner. They will either despise a pageant, or they will pity a captive king. This relation of your army to the crown will, if I am not greatly mistaken, become a serious dilemma in your politics.

It is besides to be considered, whether an assembly like yours, even supposing that it was in possession of another sort of organ through which its orders were to pass, is fit for promoting the obedience and discipline of an army. It is known that armies have hitherto yielded a very precarious and uncertain obedience to any senate, or popular authority; and they will least of all yield it to an assembly which is only to have a continuance of two years. The officers must totally lose the characteristic disposition of military men, if they see with perfect submission and due admiration, the dominion of pleaders; especially when they find that they have a new court to pay to an endless succession of those pleaders; whose military policy, and the genius of whose command (if they should have any), must be as uncertain as their duration is transient. In the weakness of one kind of authority, and in the fluctuation of all, the officers of an army will remain for some time mutinous and full of faction, until some popular general, who understands the art of conciliating the soldiery, and who possesses the true spirit of command, shall draw the eyes of all men upon himself. Armies will obey him on his personal account. There is no other way of securing military obedience in this state of things. But the moment in which that event shall happen, the person who really commands the army is your master; the master (that is little) of your king, the master of your assembly, the master of your whole republic.

How came the assembly by their present power over the army? Chiefly, to be sure, by debauching the soldiers from their officers. They have begun by a most terrible operation. They have touched the central point, about which the particles that compose armies

are at repose. They have destroyed the principle of obedience in the great, essential, critical link between the officer and the soldier, just where the chain of military subordination commences, and on which the whole of that system depends. The soldier is told he is a citizen, and has the rights of man and citizen. The right of a man, he is told, is to be his own governor, and to be ruled only by those to whom he delegates that self-government. It is very natural he should think that he ought most of all to have his choice where he is to yield the greatest degree of obedience. He will therefore, in all probability, systematically do what he does at present occasionally ; that is, he will exercise at least a negative in the choice of his officers. At present the officers are known at best to be only permissive, and on their good behaviour. In fact, there have been many instances in which they have been cashiered by their corps. Here is a second negative on the choice of the king ; a negative as effectual at least as the other of the assembly. The soldiers know already that it has been a question, not ill received in the National Assembly, whether they ought not to have the direct choice of their officers, or some proportion of them ? When such matters are in deliberation it is no extravagant supposition that they will incline to the opinion most favourable to their pretensions. They will not bear to be deemed the army of an imprisoned king, whilst another army in the same country, with whom too they are to feast and confederate, is to be considered as the free army of a free constitution. They will cast their eyes on the other and more permanent army ; I mean the municipal. That corps, they well know, does actually elect its own officers. They may not be able to discern the grounds of distinction on which they are not to elect a Marquis de la Fayette (or what is his new name ?) of their own. If this election of a commander-in-chief be a part of the rights of men, why not of theirs ? They see elective justices of peace, elective judges, elective

curates, elective bishops, elective municipalities, and elective commanders of the Parisian army.—Why should they alone be excluded? Are the brave troops of France the only men in that nation who are not the fit judges of military merit, and of the qualifications necessary for a commander-in-chief? Are they paid by the state, and do they therefore lose the rights of men? They are a part of that nation themselves, and contribute to that pay. And is not the king, is not the National Assembly, and are not all who elect the National Assembly, likewise paid? Instead of seeing all these forfeit their rights by their receiving a salary, they perceive that in all these cases a salary is given for the exercise of those rights. All your resolutions, all your proceedings, all your debates, all the works of your doctors in religion and politics, have industriously been put into their hands; and you expect that they will apply to their own cause just as much of your doctrines and examples as suits your pleasure.

Everything depends upon the army in such a government as yours; for you have industriously destroyed all the opinions and prejudices, and as far as in you lay, all the instincts which support government. Therefore the moment any difference arises between your National Assembly and any part of the nation, you must have recourse to force. Nothing else is left to you; or rather you have left nothing else to yourselves. You see, by the report of your war minister, that the distribution of the army is in a great measure made with a view of internal coercion.* You must rule by an army; and you have infused into that army by which you rule, as well as into the whole body of the nation, principles which after a time must disable you in the use you resolve to make of it. The king is to call out troops to act against his people, when the world has been told, and the assertion is still ringing in our ears, that troops ought not to fire on citizens. The colonies

* Courrier François, 30thth July, 1790. Assemblée Nationale, Numero 210.

assert to themselves an independent constitution and a free trade. They must be constrained by troops. In what chapter of your code of the rights of men are they able to read that it is a part of the rights of men to have their commerce monopolized and restrained for the benefit of others? As the colonists rise on you, the negroes rise on them. Troops again—massacre, torture, hanging! These are your rights of men! These are the fruits of metaphysic declarations wantonly made, and shamefully retracted! It was but the other day that the farmers of land in one of your provinces refused to pay some sorts of rents to the lord of the soil. In consequence of this, you decree, that the country people shall pay all rents and dues except those which as grievances you have abolished; and if they refuse, then you order the king to march troops against them. You lay down metaphysic propositions which infer universal consequences, and then you attempt to limit logic by despotism. The leaders of the present system tell them of their rights, as men, to take fortresses, to murder guards, to seize on kings, without the least appearance of authority even from the assembly, whilst, as the sovereign legislative body, that assembly was sitting in the name of the nation—and yet these leaders presume to order out the troops which have acted in these very disorders, to coerce those who shall judge on the principles, and follow the examples, which have been guaranteed by their own approbation.

The leaders teach the people to abhor and reject all feodality as the barbarism of tyranny, and they tell them afterwards how much of that barbarous tyranny they are to bear with patience. As they are prodigal of light with regard to grievances, so the people find them sparing in the extreme with regard to redress. They know that not only certain quit-rents and personal duties, which you have permitted them to redeem (but have furnished no money for the redemption), are as nothing to those burdens for which you have made no provision at all. They know that almost the whole

system of landed property in its origin is feudal ; that it is the distribution of the possessions of the original proprietors, made by a barbarous conqueror to his barbarous instruments ; and that the most grievous effects of the conquest are the land rents of every kind, as without question they are.

The peasants, in all probability, are the descendants of these ancient proprietors, Romans or Gauls. But if they fail, in any degree, in the titles which they make on the principles of antiquaries and lawyers, they retreat into the citadel of the rights of men. There they find that men are equal ; and the earth, the kind and equal mother of all, ought not to be monopolized to foster the pride and luxury of any men, who by nature are no better than themselves, and who, if they do not labour for their bread, are worse. They find that by the laws of nature the occupant and subduer of the soil is the true proprietor ; that there is no prescription against nature ; and that the agreements (where any there are) which have been made with the landlords, during the time of slavery, are only the effect of duress and force ; and that when the people re-entered into the rights of men, those agreements were made as void as everything else which had been settled under the prevalence of the old feudal and aristocratic tyranny. They will tell you that they see no difference between an idler with a hat and a national cockade, and an idler in a cowl, or in a rochet. If you ground the title to rents on succession and prescription, they tell you from the speech of Mr. *Camus*, published by the National Assembly for their information, that things ill begun cannot avail themselves of prescription ; that the title of these lords was vicious in its origin ; and that force is at least as bad as fraud. As to the title by succession, they will tell you, that the succession of those who have cultivated the soil is the true pedigree of property, and not rotten parchments and silly substitutions ; that the lords have enjoyed their usurpation too long ; and that if they allow to these lay monks any charitable pension,

they ought to be thankful to the bounty of the true proprietor, who is so generous towards a false claimant to his goods.

When the peasants give you back that coin of sophistic reason, on which you have set your image and superscription, you cry it down as base money, and tell them you will pay for the future with French guards and dragoons and hussars. You hold up, to chastise them, the second-hand authority of a king, who is only the instrument of destroying, without any power of protecting either the people or his own person. Through him it seems you will make yourselves obeyed. They answer, you have taught us that there are no gentlemen; and which of your principles teach us to bow to kings whom we have not elected? We know, without your teaching, that lands were given for the support of feudal dignities, feudal titles, and feudal offices. When you took down the cause as a grievance, why should the more grievous effect remain? As there are now no hereditary honours, and no distinguished families, why are we taxed to maintain what you tell us ought not to exist? You have sent down our old aristocratic landlords in no other character, and with no other title but that of exactors under your authority. Have you endeavoured to make these your rent-gatherers respectable to us? No. You have sent them to us with their arms reversed, their shields broken, their impresses defaced; and so displumed, degraded, and metamorphosed, such unfeathered two-legged things, that we no longer know them. They are strangers to us. They do not even go by the names of our ancient lords. Physically they may be the same men; though we are not quite sure of that, on your new philosophic doctrine of personal identity. In all other respects they are totally changed. We do not see why we have not as good a right to refuse them their rents, as you have to abrogate all their honours, titles, and distinctions. This we have never commissioned you to do; and it is one instance among many, indeed, of your assump-

tion of undelegated power. We see the burghers of Paris, through their clubs, their mobs, and their national guards, directing you at their pleasure, and giving that as law to you, which, under your authority, is transmitted as law to us. Through you, these burghers dispose of the lives and fortunes of us all. Why should not you attend as much to the desires of the laborious husbandman with regard to our rent, by which we are affected in the most serious manner, as you do to the demands of these insolent burghers, relative to distinctions and titles of honour, by which neither they nor we are affected at all? But we find you pay more regard to their fancies than to our necessities. Is it among the rights of man to pay tribute to his equals? Before this measure of yours we might have thought we were not perfectly equal. We might have entertained some old, habitual, unmeaning prepossession in favour of those landlords; but we cannot conceive with what other view than that of destroying all respect to them, you could have made the law that degrades them. You have forbidden us to treat them with any of the old formalities of respect, and now you send troops to sabre and to bayonet us into a submission to fear and force, which you did not suffer us to yield to the mild authority of opinion.

The ground of some of these arguments is horrid and ridiculous to all rational ears; but to the politicians of metaphysics who have opened schools for sophistry, and made establishments for anarchy, it is solid and conclusive. It is obvious that, on a mere consideration of the right, the leaders in the assembly would not in the least have scrupled to abrogate the rents along with the titles and family ensigns. It would be only to follow up the principle of their reasonings and to complete the analogy of their conduct. But they had newly possessed themselves of a great body of landed property by confiscation. They had this commodity at market; and the market would have been wholly destroyed, if they were to permit the husbandmen to

riot in the speculations with which they so freely intoxicated themselves. The only security which property enjoys in any one of its descriptions is from the interests of their rapacity with regard to some other. They have left nothing but their own arbitrary pleasure to determine what property is to be protected and what subverted.

Neither have they left any principle by which any of their municipalities can be bound to obedience ; or even conscientiously obliged not to separate from the whole to become independent, or to connect itself with some other state. The people of Lyons, it seems, have refused lately to pay taxes. Why should they not ? What lawful authority is there left to exact them ? The king imposed some of them. The old states, methodized by orders, settled the more ancient. They may say to the assembly, Who are you, that are not our kings, nor the states we have elected, nor sit on the principles on which we have elected you ? And who are we, that when we see the gabelles, which you have ordered to be paid, wholly shaken off, when we see the act of disobedience afterwards ratified by yourselves, who are we, that we are not to judge what taxes we ought or ought not to pay, and are not to avail ourselves of the same powers, the validity of which you have approved in others ? To this the answer is, We will send troops. The last reason of kings is always the first with your assembly. This military aid may serve for a time, whilst the impression of the increase of pay remains, and the vanity of being umpires in all disputes is flattered. But this weapon will snap short, unfaithful to the hand that employs it. The assembly keep a school, where, systematically, and with unremitting perseverance, they teach principles and form regulations, destructive to all spirit of subordination, civil and military—and then they expect that they shall hold in obedience an anarchic army.

The municipal army which, according to their new policy, is to balance this national army, if considered in

itself only, is of a constitution much more simple, and in every respect less exceptionable. It is a mere democratic body, unconnected with the crown or the kingdom; armed, and trained, and officered at the pleasure of the districts to which the corps severally belong; and the personal service of the individuals, who compose, or the fine in lieu of personal service, are directed by the same authority.* Nothing is more uniform. If, however, considered in any relation to the crown, to the National Assembly, to the public tribunals, or to the other army, or considered in a view to any coherence or connexion between its parts, it seems a monster, and can hardly fail to terminate its perplexed movements in some great national calamity. It is a worse preservative of a general constitution, than the systasis of Crete, or the confederation of Poland, or any other ill-devised corrective which has yet been imagined, in the necessities produced by an ill-constructed system of government.

Having concluded my few remarks on the constitution of the supreme power, the executive, the judicature, the military, and on the reciprocal relation of all these establishments, I shall say something of the ability showed by your legislators with regard to the revenue.

In their proceedings relative to this object, if possible, still fewer traces appear of political judgment or financial resource. When the states met, it seemed to be the great object to improve the system of revenue, to enlarge its collection, to cleanse it of oppression and vexation, and to establish it on the most solid footing. Great were the expectations entertained on that head throughout Europe. It was by this grand arrangement that France was to stand or fall; and this became, in my opinion, very properly, the test by which the skill and

* I see by Mr. Necker's account that the national guards of Paris have received, over and above the money levied within their own city, about 145,000*l.* sterling out of the public treasure. Whether this be an actual payment for the nine months of their existence, or an estimate of their yearly charge, I do not clearly perceive. It is of no great importance, as certainly they may take whatever they please.

patriotism of those who ruled in that assembly would be tried. The revenue of the state is the state. In effect all depends upon it, whether for support or for reformation. The dignity of every occupation wholly depends upon the quantity and the kind of virtue that may be exerted in it. As all great qualities of the mind which operate in public, and are not merely suffering and passive, require force for their display, I had almost said for their unequivocal existence, the revenue, which is the spring of all power, becomes in its administration the sphere of every active virtue. Public virtue, being of a nature magnificent and splendid, instituted for great things, and conversant about great concerns, requires abundant scope and room, and cannot spread and grow under confinement, and in circumstances straitened, narrow, and sordid. Through the revenue alone the body politic can act in its true genius and character, and therefore it will display just as much of its collective virtue, and as much of that virtue which may characterize those who move it, and are, as it were, its life and guiding principle, as it is possessed of a just revenue. For from hence not only magnanimity, and liberality, and beneficence, fortitude, and providence, and the tutelary protection of all good arts, derive their food, and the growth of their organs, but continence, and self-denial, and labour, and vigilance, and frugality, and whatever else there is in which the mind shows itself above the appetite, are nowhere more in their proper element than in the provision and distribution of the public wealth. It is therefore not without reason that the science of speculative and practical finance, which must take to its aid so many auxiliary branches of knowledge, stands high in the estimation not only of the ordinary sort, but of the wisest and best men; and as this science has grown with the progress of its object, the prosperity and improvement of nations has generally increased with the increase of their revenues; and they will both continue to grow and flourish, as long as the balance between what is left to strengthen

the efforts of individuals, and what is collected for the common efforts of the state, bear to each other a due reciprocal proportion, and are kept in a close correspondence and communication. And perhaps it may be owing to the greatness of revenues, and to the urgency of state necessities, that old abuses in the constitution of finances are discovered, and their true nature and rational theory comes to be more perfectly understood; insomuch that a smaller revenue might have been more distressing in one period than a far greater is found to be in another; the proportionate wealth even remaining the same. In this state of things, the French assembly found something in their revenues to preserve, to secure, and wisely to administer, as well as to abrogate and alter. Though their proud assumption might justify the severest test, yet in trying their abilities on their financial proceedings, I would only consider what is the plain, obvious duty of a common finance minister, and try them upon that and not upon models of ideal perfection.

The objects of a financier are, then, to secure an ample revenue; to impose it with judgment and equality; to employ it economically; and, when necessity obliges him to make use of credit, to secure its foundations in that instance, and for ever, by the clearness and candour of his proceedings, the exactness of his calculations, and the solidity of his funds. On these heads we may take a short and distinct view of the merits and abilities of those in the National Assembly, who have taken to themselves the management of this arduous concern. Far from any increase of revenue in their hands, I find, by a report of M. Vernier, from the committee of finances, of the second of August last, that the amount of the national revenue, as compared with its produce before the Revolution, was diminished by the sum of two hundred millions, or *eight millions sterling* of the annual income, considerably more than one third of the whole.

— If this be the result of great ability, never surely was

ability displayed in a more distinguished manner, or with so powerful an effect: No common folly, no vulgar incapacity, no ordinary official negligence, even no official crime, no corruption, no peculation, hardly any direct hostility which we have seen in the modern world, could in so short a time have made so complete an overthrow of the finances, and with them, of the strength of a great kingdom.—*Cedo qui vestram rempublicam tantam amisistis tam cito?*

The sophisters and declaimers, as soon as the assembly met, began with decrying the ancient constitution of the revenue in many of its most essential branches, such as the public monopoly of salt. They charged it, as truly as unwisely, with being ill-contrived, oppressive, and partial. This representation they were not satisfied to make use of in speeches preliminary to some plan of reform; they declared it in a solemn resolution or public sentence, as it were judicially, passed upon it; and this they dispersed throughout the nation. At the time they passed the decree, with the same gravity they ordered the same absurd, oppressive, and partial tax to be paid, until they could find a revenue to replace it. The consequence was inevitable. The provinces which had been always exempted from this salt monopoly, some of whom were charged with other contributions, perhaps equivalent, were totally disinclined to bear any part of the burden, which by an equal distribution was to redeem the others. As to the assembly, occupied as it was with the declaration and violation of the rights of men, and with their arrangements for general confusion, it had neither leisure nor capacity to contrive, nor authority to enforce, any plan of any kind relative to the replacing the tax or equalizing it, or compensating the provinces, or for conducting their minds to any scheme of accommodation with the other districts which were to be relieved.

The people of the salt provinces, impatient under taxes, damned by the authority which had directed their payment, very soon found their patience exhausted.

They thought themselves as skilful in demolishing as the assembly could be. They relieved themselves by throwing off the whole burden. Animated by this example, each district, or part of a district, judging of its own grievance by its own feeling, and of its remedy by its own opinion, did as it pleased with other taxes.

We are next to see how they have conducted themselves in contriving equal impositions, proportioned to the means of the citizens, and the least likely to lean heavy on the active capital employed in the generation of that private wealth, from whence the public fortune must be derived. By suffering the several districts, and several of the individuals in each district, to judge of what part of the old revenue they might withhold, instead of better principles of equality, a new inequality was introduced of the most oppressive kind. Payments were regulated by dispositions. The parts of the kingdom which were the most submissive, the most orderly, or the most affectionate to the commonwealth, bore the whole burden of the state. Nothing turns out to be so oppressive and unjust as a feeble government. To fill up all the deficiencies in the old impositions, and the new deficiencies of every kind which were to be expected, what remained to a state without authority? The National Assembly called for a voluntary benevolence; for a fourth part of the income of all the citizens, to be estimated on the honour of those who were to pay. They obtained something more than could be rationally calculated, but what was far indeed from answerable to their real necessities, and much less to their fond expectations. Rational people could have hoped for little from this their tax in the disguise of a benevolence; a tax weak, ineffective, and unequal; a tax by which luxury, avarice, and selfishness were screened, and the load thrown upon productive capital, upon integrity, generosity, and public spirit—a tax of regulation upon virtue. At length the mask is thrown off, and they are now trying means (with little success) of exacting their benevolence by force.

This benevolence, the rickety offspring of weakness, was to be supported by another resource, the twin brother of the same prolific imbecility. The patriotic donations were to make good the failure of the patriotic contribution. John Doe was to become security for Richard Roe. By this scheme they took things of much price from the giver, comparatively of small value to the receiver; they ruined several trades; they pillaged the crown of its ornaments, the churches of their plate, and the people of their personal decorations. The invention of these juvenile pretenders to liberty was in reality nothing more than a servile imitation of one of the poorest resources of doting despotism. They took an old huge full-bottomed periwig out of the wardrobe of the antiquated frippery of Louis XIV, to cover the premature baldness of the National Assembly. They produced this old-fashioned formal folly, though it had been so abundantly exposed in the Memoirs of the Duke de St. Simon, if to reasonable men it had wanted any arguments to display its mischief and insufficiency. A device of the same kind was tried in my memory by Louis XV, but it answered at no time. However, the necessities of ruinous wars were some excuse for desperate projects. The deliberations of calamity are rarely wise. But here was a season for disposition and providence. It was in a time of profound peace, then enjoyed for five years, and promising a much longer continuance, that they had recourse to this desperate trifling. They were sure to lose more reputation by sporting, in their serious situation, with these toys and playthings of finance, which have filled half their journals, than could possibly be compensated by the poor temporary supply which they afforded. It seemed as if those who adopted such projects were wholly ignorant of their circumstances, or wholly unequal to their necessities. Whatever virtue may be in these devices, it is obvious that neither the patriotic gifts, nor the patriotic contribution, can ever be resorted to again. The resources of public folly are soon ex-

hausted. The whole indeed of their scheme of revenue is to make, by any artifice, an appearance of a full reservoir for the hour, whilst at the same time they cut off the springs and living fountains of perennial supply. The account not long since furnished by Mr. Necker was meant, without question, to be favourable. He gives a flattering view of the means of getting through the year; but he expresses, as it is natural he should, some apprehension for that which was to succeed. On this last prognostic, instead of entering into the grounds of this apprehension, in order, by a proper foresight, to prevent the prognosticated evil, Mr. Necker receives a sort of friendly reprimand from the president of the assembly.

As to their other schemes of taxation, it is impossible to say anything of them with certainty; because they have not yet had their operation: but nobody is so sanguine as to imagine they will fill up any perceptible part of the wide gaping breach which their incapacity has made in their revenues. At present the state of their treasury sinks every day more and more in cash, and swells more and more in fictitious representation. When so little within or without is now found but paper, the representative not of opulence but of want, the creature not of credit but of power, they imagine that our flourishing state in England is owing to that bank-paper, and not the bank-paper to the flourishing condition of our commerce, to the solidity of our credit, and to the total exclusion of all idea of power from any part of the transaction. They forget that, in England, not one shilling of paper-money of any description is received but of choice; that the whole has had its origin in cash actually deposited; and that it is convertible, at pleasure, in an instant, and without the smallest loss, into cash again. Our paper is of value in commerce, because in law it is of none. It is powerful on 'Change, because in Westminster Hall it is impotent. In payment of a debt of twenty shillings, a creditor may refuse all the paper of the Bank of England. Nor is there amongst

us a single public security, of any quality or nature whatsoever, that is enforced by authority. In fact it might be easily shown that our paper wealth, instead of lessening the real coin, has a tendency to increase it; instead of being a substitute for money, it only facilitates its entry, its exit, and its circulation; that it is the symbol of prosperity, and not the badge of distress. Never was a scarcity of cash, and an exuberance of paper, a subject of complaint in this nation.

Well! but a lessening of prodigal expenses and the economy which has been introduced by the virtuous and sapient assembly make amends for the losses sustained in the receipt of revenue. In this at least they have fulfilled the duty of a financier.—Have those who say so looked at the expenses of the National Assembly itself? of the municipalities? of the city of Paris? of the increased pay of the two armies? of the new police? of the new judicatures? Have they even carefully compared the present pension list with the former? These politicians have been cruel, not economical. Comparing the expenses of the former prodigal government and its relation to the then revenues with the expenses of this new system as opposed to the state of its new treasury, I believe the present will be found beyond all comparison more chargeable.*

It remains only to consider the proofs of financial ability, furnished by the present French managers when

* The reader will observe that I have but lightly touched (my plan demanded nothing more) on the condition of the French finances, as connected with the demands upon them. If I had intended to do otherwise, the materials in my hands for such a task are not altogether perfect. On this subject I refer the reader to M. de Calonne's work; and the tremendous display that he has made of the havoc and devastation in the public estate, and in all the affairs of France, caused by the presumptuous good intentions of ignorance and incapacity. Such effects those causes will always produce. Looking over that account with a pretty strict eye, and, with perhaps too much rigour, deducting everything which may be placed to the account of a financier out of place, who might be supposed by his enemies desirous of making the most of his cause, I believe it will be found that a more salutary lesson of caution against the daring spirit of innovators, than what has been supplied at the expense of France, never was at any time furnished to mankind.

they are to raise supplies on credit. Here I am a little at a stand ; for credit, properly speaking, they have none. The credit of the ancient government was not indeed the best ; but they could always, on some terms, command money, not only at home, but from most of the countries of Europe where a surplus capital was accumulated ; and the credit of that government was improving daily. The establishment of a system of liberty would of course be supposed to give it new strength : and so it would actually have done, if a system of liberty had been established. What offers has their government of pretended liberty had from Holland, from Hamburgh, from Switzerland, from Genoa, from England, for a dealing in their paper ? Why should these nations of commerce and economy enter into any pecuniary dealings with a people who attempt to reverse the very nature of things ; amongst whom they see the debtor prescribing, at the point of the bayonet, the medium of his solvency to the creditor ; discharging one of his engagements with another ; turning his very penury into his resource ; and paying his interest with his rags ?

Their fanatical confidence in the omnipotence of church plunder has induced these philosophers to overlook all care of the public estate, just as the dream of the philosopher's stone induces dupes, under the more plausible delusion of the hermetic art, to neglect all rational means of improving their fortunes. With these philosophic financiers, this universal medicine made of church mummy is to cure all the evils of the state. These gentlemen perhaps do not believe a great deal in the miracles of piety ; but it cannot be questioned, that they have an undoubting faith in the prodigies of sacrilege. Is there a debt which presses them ?—Issue *assignats*. Are compensations to be made, or a maintenance decreed to those whom they have robbed of their freehold in their office, or expelled from their profession ?—*Assignats*. Is a fleet to be fitted out ?—*Assignats*. If sixteen millions sterling of these *assignats* forced on the people, leave the wants of the state as urgent as ever—issue, says one,

thirty millions sterling of *assignats*—says another, issue fourscore millions more of *assignats*. The only difference among their financial factions is on the greater or the lesser quantity of *assignats* to be imposed on the public sufferance. They are all professors of *assignats*. Even those whose natural good sense and knowledge of commerce, not obliterated by philosophy, furnish decisive arguments against this delusion, conclude their arguments by proposing the emission of *assignats*. I suppose they must talk of *assignats*, as no other language would be understood. All experience of their inefficacy does not in the least discourage them. Are the old *assignats* depreciated at market? What is the remedy? Issue new *assignats*.—*Mais si maladia, opiniatria, non vult se garrire, quid illi facere? assignare—postea assignare; ensuite assignare.* The word is a trifle altered. The Latin of your present doctors may be better than that of your old comedy; their wisdom and the variety of their resources are the same. They have not more notes in their song than the cuckoo; though, far from the softness of that harbinger of summer and plenty, their voice is as harsh and as ominous as that of the raven.

Who but the most desperate adventurers in philosophy and finance could at all have thought of destroying the settled revenue of the state, the sole security for the public credit, in the hope of rebuilding it with the materials of confiscated property? If, however, an excessive zeal for the state should have led a pious and venerable prelate (by anticipation a father of the church*) to pillage his own order and, for the good of the church and people, to take upon himself the place of grand financier of confiscation, and comptroller-general of sacrilege, he and his coadjutors were, in my opinion, bound to show, by their subsequent conduct, that they knew something of the office they assumed. When they had resolved to appropriate to the *fisc* a certain portion of the landed property of their conquered country, it was their business to render their bank a real fund

* La Bruyère of Bossuet.

of credit ; as far as such a bank was capable of becoming so.

To establish a current circulating credit upon any *land-bank*, under any circumstances whatsoever, has hitherto proved difficult at the very least. The attempt has commonly ended in bankruptcy. But when the assembly were led, through a contempt of moral, to a defiance of economical principles, it might at least have been expected that nothing would be omitted on their part to lessen this difficulty, to prevent any aggravation of this bankruptcy. It might be expected, that, to render your *land-bank* tolerable, every means would be adopted that could display openness and candour in the statement of the security ; everything which could aid the recovery of the demand. To take things in their most favourable point of view, your condition was that of a man of a large landed estate, which he wished to dispose of for the discharge of a debt and the supply of certain services. Not being able instantly to sell, you wished to mortgage. What would a man of fair intentions, and a commonly clear understanding, do in such circumstances ? Ought he not first to ascertain the gross value of the estate ; the charges of its management and disposition ; the incumbrances perpetual and temporary of all kinds that affect it ; then, striking a net surplus, to calculate the just value of the security ? When that surplus (the only security to the creditor) had been clearly ascertained and properly vested in the hands of trustees ; then he would indicate the parcels to be sold and the time and conditions of sale ; after this, he would admit the public creditor, if he chose it, to subscribe his stock into this new fund ; or he might receive proposals for an *assignat* from those who would advance money to purchase this species of security.

This would be to proceed like men of business, methodically and rationally ; and on the only principles of public and private credit that have an existence. The dealer would then know exactly what he purchased ; and the only doubt which could hang upon his mind would be,

the dread of the resumption of the spoil, which one day might be made (perhaps with an addition of punishment) from the sacrilegious grip of those execrable wretches who could become purchasers at the auction of their innocent fellow-citizens.

An open and exact statement of the clear value of the property and of the time, the circumstances, the place of sale, were all necessary, to efface as much as possible the stigma that has hitherto been branded on every kind of land-bank. It became necessary on another principle, that is, on account of a pledge of faith previously given on that subject, that their future fidelity in a slippery concern might be established by their adherence to their first engagement. When they had finally determined on a state resource from church booty, they came, on the 14th of April, 1790, to a solemn resolution on the subject ; and pledged themselves to their country, ' that in the statement of the public charges for each year, there should be brought to account a sum sufficient for defraying the expenses of the R. C. A. religion, the support of the ministers at the altars, the relief of the poor, the pensions to the ecclesiastics, secular as well as regular, of the one and of the other sex, *in order that the estates and goods which are at the disposal of the nation may be disengaged of all charges, and employed by the representatives, or the legislative body, to the great and most pressing exigencies of the state.*' They further engaged, on the same day, that the sum necessary for the year 1791 should be forthwith determined.

In this resolution they admit it their duty to show distinctly the expense of the above objects, which, by other resolutions, they had before engaged should be first in the order of provision. They admit that they ought to show the estate clear and disengaged of all charges, and that they should show it immediately. Have they done this immediately, or at any time ? Have they ever furnished a rent-roll, of the immovable estate, or given in an inventory of the movable effects which they confiscate to their assignats ? In what

manner they can fulfil their engagements of holding out to public service. 'an estate disengaged of all charges,' without authenticating the value of the estate, or the quantum of the charges, I leave it to their English admirers to explain. Instantly upon this assurance, and previously to any one step towards making it good, they issue, on the credit of so handsome a declaration, sixteen millions sterling of their paper. This was manly. Who, after this masterly stroke, can doubt of their abilities in finance?—But then, before any other emission of these financial *indulgences*, they took care at least to make good their original promise!—If such estimate, either of the value of the estate or the amount of the incumbrances, has been made, it has escaped me. I never heard of it.

At length they have spoken out, and they have made a full discovery of their abominable fraud, in holding out the church lands as a security for any debts, or any service whatsoever. They rob only to enable them to cheat; but in a very short time they defeat the ends both of the robbery and the fraud, by making out accounts for other purposes, which blow up their whole apparatus of force and of deception. I am obliged to M. de Calonne for his reference to the document which proves this extraordinary fact: it had by some means escaped me. Indeed it was not necessary to make out my assertion as to the breach of faith on the declaration of the 14th of April, 1790. By a report of their committee it now appears, that the charge of keeping up the reduced ecclesiastical establishments, and other expenses attendant on religion, and maintaining the religious of both sexes, retained or pensioned, and the other concomitant expenses of the same nature, which they have brought upon themselves by this convulsion in property, exceeds the income of the estates acquired by it in the enormous sum of two millions sterling annually; besides a debt of seven millions and upwards. These are the calculating powers of imposture! This is the finance of philosophy! This is the result of all the delusions held out to engage a miserable people in rebellion, murder,

and sacrilege, and to make them prompt and zealous instruments in the ruin of their country! Never did a state, in any case, enrich itself by the confiscations of the citizens. This new experiment has succeeded like all the rest. Every honest mind, every true lover of liberty and humanity, must rejoice to find that injustice is not always good policy, nor rapine the high road to riches. I subjoin with pleasure, in a note, the able and spirited observations of M. de Calonne on this subject.*

In order to persuade the world of the bottomless resource of ecclesiastical confiscation, the assembly have proceeded to other confiscation of estates in offices, which could not be done with any common colour without being compensated out of this grand confiscation of landed property. They have thrown upon this fund which was to show a surplus, disengaged of all charges, a new charge; namely, the compensation to the whole body of the disbanded judicature; and of all suppressed offices and estates; a charge which I cannot ascertain, but which unquestionably amounts to many French millions. Another of the new charges is an annuity of four hundred

* 'Ce n'est point à l'assemblée entière que je m'adresse ici; je ne parle qu'à ceux qui l'égarent, en lui cachant sous des gazes séduisantes le but où ils l'entraînent. C'est à eux que je dis: votre objet, vous n'en disconviendrez pas, c'est d'ôter tout espoir au clergé, et de consommer sa ruine; c'est-là, en ne vous soupçonnant d'aucune combinaison de cupidité, d'aucun regard sur le jeu des effets publics, c'est-là ce qu'on doit croire que vous avez en vue dans la terrible opération que vous proposez; c'est ce qui doit en être le fruit. Mais le peuple qui vous y intéressez, quel avantage peut-il y trouver? En vous servant sans cesse de lui, que faites-vous pour lui? Rien, absolument rien; et, au contraire, vous faites ce qui ne conduit qu'à l'accabler de nouvelles charges. Vous avez rejeté, à son préjudice, une offre de 400 millions, dont l'acceptation pouvoit devenir un moyen de soulagement en sa faveur; et à cette ressource, aussi profitable que légitime, vous avez substitué une injustice ruineuse, qui, de votre propre aveu, charge le trésor public, et par conséquent le peuple, d'un surcroît de dépense annuelle de 50 millions au moins, et d'un remboursement de 150 millions.

'Malheureux peuple! voilà ce que vous vult en dernier résultat l'expropriation d'Église, et la dureté des décrets taxateurs du traitement des ministres d'une religion bienfaisante; et désormais ils seront à votre charge: leurs charités soulageoient les pauvres; et vous allez être imposés pour subvenir à leur entretien!'—*De l'État de la France*, p. 81. See also p. 92, and the following pages.

and eighty thousand pounds sterling, to be paid (if they choose to keep faith) by daily payments, for the interest of the first assignats. Have they ever given themselves the trouble to state fairly the expense of the management of the church lands in the hands of the municipalities, to whose care, skill, and diligence, and that of their legion of unknown under-agents, they have chosen to commit the charge of the forfeited estates, and the consequence of which had been so ably pointed out by the Bishop of Nancy ?

But it is unnecessary to dwell on these obvious heads of incumbrance. Have they made out any clear state of the grand incumbrance of all, I mean the whole of the general and municipal establishments of all sorts, and compared it with the regular income by revenue ? Every deficiency in these becomes a charge on the confiscated estate, before the creditor can plant his cabbages on an acre of church property. There is no other prop than this confiscation to keep the whole state from tumbling to the ground. In this situation they have purposely covered all that they ought industriously to have cleared with a thick fog ; and then, blindfold themselves, like bulls that shut their eyes when they push, they drive, by the point of the bayonets, their slaves, blindfolded indeed no worse than their lords, to take their fictions for currencies, and to swallow down paper pills by thirty-four millions sterling at a dose. Then they proudly lay in their claim to a future credit, on failure of all their past engagements, and at a time when (if in such a matter anything can be clear) it is clear that the surplus estates will never answer even the first of their mortgages, I mean that of the four hundred millions (or sixteen millions sterling) of *assignats*. In all this procedure I can discern neither the solid sense of plain dealing, nor the subtle dexterity of ingenious fraud. The objections within the assembly to pulling up the flood-gates for this inundation of fraud are unanswered ; but they are thoroughly refuted by a hundred thousand financiers in the street. These are the numbers by which the metaphysic arithmeticians com-

pute. These are the grand calculations on which a philosophical public credit is founded in France. They cannot raise supplies ; but they can raise mobs. Let them rejoice in the applauses of the club at Dundee, for their wisdom and patriotism in having thus applied the plunder of the citizens to the service of the state. I hear of no address upon this subject from the directors of the Bank of England ; though their approbation would be of a *little* more weight in the scale of credit than that of the club at Dundee. But, to do justice to the club, I believe the gentlemen who compose it to be wiser than they appear ; that they will be less liberal of their money than of their addresses ; and that they would not give a dog's ear of their most rumpled and ragged Scotch paper for twenty of your fairest assignats.

Early in this year the assembly issued paper to the amount of sixteen millions sterling : what must have been the state into which the assembly has brought your affairs, that the relief afforded by so vast a supply has been hardly perceptible ? This paper also felt an almost immediate depreciation of five per cent., which in a little time came to about seven. The effect of these assignats on the receipt of the revenue is remarkable. Mr. Necker found that the collectors of the revenue, who received in coin, paid the treasury in *assignats*. The collectors made seven per cent. by thus receiving in money and accounting in depreciated paper. It is not very difficult to foresee that this must be inevitable. It was, however, not the less embarrassing. Mr. Necker was obliged (I believe, for a considerable part, in the market of London) to buy gold and silver for the mint, which amounted to about twelve thousand pounds above the value of the commodity gained. That minister was of opinion that, whatever their secret nutritive virtue might be, the state could not live upon *assignats* alone ; that some real silver was necessary, particularly for the satisfaction of those who, having iron in their hands, were not likely to distinguish themselves for patience, when they should perceive that whilst an increase of pay was held out to them in real

money, it was again to be fraudulently drawn back by depreciated paper. The minister, in this very natural distress, applied to the assembly, that they should order the collectors to pay in specie what in specie they had received. It could not escape him that, if the treasury paid three per cent. for the use of a currency, which should be returned seven per cent. worse than the minister issued it, such a dealing could not very greatly tend to enrich the public. The assembly took no notice of his recommendation. They were in this dilemma—if they continued to receive the assignats, cash must become an alien to their treasury: if the treasury should refuse those paper *amulets*, or should discountenance them in any degree, they must destroy the credit of their sole resource. They seem then to have made their option; and to have given some sort of credit to their paper by taking it themselves; at the same time in their speeches they made a sort of swaggering declaration, something, I rather think, above legislative competence; that is, that there is no difference in value between metallic money and their assignats. This was a good, stout, proof article of faith, pronounced under an anathema, by the venerable fathers of this philosophic synod. *Credat* who will—certainly not *Judæus Apella*.

A noble indignation rises in the minds of your popular leaders, on hearing the magic lantern in their show of finance compared to the fraudulent exhibitions of Mr. Law. They cannot bear to hear the sands of the Mississippi compared with the rock of the church on which they build their system. Pray let them suppress this glorious spirit, until they show to the world what piece of solid ground there is for their assignats, which they have not pre-occupied by other charges. They do injustice to that great, mother fraud, to compare it with their degenerate imitation. It is not true that Law built solely on a speculation concerning the Mississippi. He added the East India trade; he added the African trade; he added the farms of all the farmed

revenue of France. All these together unquestionably could not support the structure which the public enthusiasm, not he, chose to build upon these bases. But these were, however, in comparison, generous delusions. They supposed, and they aimed at an increase of the commerce of France. They opened to it the whole range of the two hemispheres. They did not think of feeding France from its own substance. A grand imagination found in this flight of commerce something to captivate. It was wherewithal to dazzle the eye of an eagle. It was not made to entice the smell of a mole; nuzzling and burying himself in his mother earth, as yours is. Men were not then quite shrunk from their natural dimensions by a degrading and sordid philosophy, and fitted for low and vulgar deceptions. Above all, remember that, in imposing on the imagination, the then managers of the system made a compliment to the freedom of men. In their fraud there was no mixture of force. This was reserved to our time, to quench the little glimmerings of reason which might break in upon the solid darkness of this enlightened age.

On recollection, I have said nothing of a scheme of finance which may be urged in favour of the abilities of these gentlemen, and which has been introduced with great pomp, though not yet finally adopted in the National Assembly. It comes with something solid in aid of the credit of the paper circulation; and much has been said of its utility and its elegance. I mean the project for coining into money the bells of the suppressed churches. This is their alchymy. There are some follies which baffle argument; which go beyond ridicule; and which excite no feeling in us but disgust; and therefore I say no more upon it.

It is as little worth remarking any farther upon all their drawing and re-drawing, on their circulation for putting off the evil day, on the play between the treasury and the *Caisse d'Escompte*, and on all these old, exploded contrivances of mercantile fraud, now exalted into policy

of state. The revenue will not be trifled with. The prattling about the rights of men will not be accepted in payment of a biscuit or a pound of gunpowder. Here then the metaphysicians descend from their airy speculations and faithfully follow examples. What examples? The examples of bankrupts. But defeated, baffled, disgraced, when their breath, their strength, their inventions, their fancies desert them, their confidence still maintains its ground. In the manifest failure of their abilities, they take credit for their benevolence. When the revenue disappears in their hands, they have the presumption, in some of their late proceedings, to value *themselves* on the relief given to the people. They did not relieve the people. If they entertained such intentions, why did they order the obnoxious taxes to be paid? The people relieved themselves in spite of the assembly.

But waving all discussion on the parties who may claim the merit of this fallacious relief, has there been, in effect, any relief to the people in any form? Mr. Bailly, one of the grand agents of paper circulation, lets you into the nature of this relief. His speech to the National Assembly contained a high and laboured panegyric on the inhabitants of Paris, for the constancy and unbroken resolution with which they have borne their distress and misery. A fine picture of public felicity! What! great courage and unconquerable firmness of mind to endure benefits, and sustain redress? One would think from the speech of this learned lord mayor that the Parisians, for this twelvemonth past, had been suffering the straits of some dreadful blockade; that Henry IV had been stopping up the avenues to their supply, and Sully thundering with his ordnance at the gates of Paris; when in reality they are besieged by no other enemies than their own madness and folly, their own credulity and perverseness. But Mr. Bailly will sooner thaw the eternal ice of his atlantic regions, than restore the central heat to Paris, whilst it remains 'smitten with the cold, dry, petrific mace' of a false

and unfeeling philosophy. Some time after this speech, that is, on the 13th of last August, the same magistrate, giving an account of his government at the bar of the same assembly, expresses himself as follows: 'In the month of July 1789' [the period of everlasting commemoration], 'the finances of the city of Paris were *yet* in good order; the expenditure was counterbalanced by the receipt, and she had at that time a million' [forty thousand pounds sterling] 'in bank. The expenses which she has been constrained to incur, *subsequent to the Revolution*, amount to 2,500,000 livres. From these expenses, and the great falling off in the product of the *free gifts*, not only a momentary, but a *total* want of money has taken place.' This is the Paris, upon whose nourishment, in the course of the last year, such immense sums, drawn from the vitals of all France, have been expended. As long as Paris stands in the place of ancient Rome, so long she will be maintained by the subject provinces. It is an evil inevitably attendant on the dominion of sovereign democratic republics. As it happened in Rome, it may survive that republican domination which gave rise to it. In that case despotism itself must submit to the vices of popularity. Rome, under her emperors, united the evils of both systems; and this unnatural combination was one great cause of her ruin.

To tell the people that they are relieved by the dilapidation of their public estate, is a cruel and insolent imposition. Statesmen, before they valued themselves on the relief given to the people by the destruction of their revenue, ought first to have carefully attended to the solution of this problem:—Whether it be more advantageous to the people to pay considerably, and to gain in proportion; or to gain little or nothing, and to be disburdened of all contribution? My mind is made up to decide in favour of the first proposition. Experience is with me and, I believe, the best opinions also. To keep a balance between the power of acquisition on the part of the subject and the demands he is

to answer on the part of the state, is the fundamental part of the skill of a true politician. The means of acquisition are prior in time and in arrangement. Good order is the foundation of all good things. To be enabled to acquire, the people, without being servile, must be tractable and obedient. The magistrate must have his reverence, the laws their authority. The body of the people must not find the principles of natural subordination by art rooted out of their minds. They must respect that property of which they cannot partake. They must labour to obtain what by labour can be obtained; and when they find, as they commonly do, the success disproportioned to the endeavour, they must be taught their consolation in the final proportions of eternal justice. Of this consolation whoever deprives them deadens their industry, and strikes at the root of all acquisition as of all conservation. He that does this is the cruel oppressor, the merciless enemy of the poor and wretched; at the same time that by his wicked speculations he exposes the fruits of successful industry, and the accumulations of fortune, to the plunder of the negligent, the disappointed, and the unprosperous.

Too many of the financiers by profession are apt to see nothing in revenue but banks, and circulations, and annuities on lives, and tontines, and perpetual rents, and all the small wares of the shop. In a settled order of the state, these things are not to be slighted, nor is the skill in them to be held in trivial estimation. They are good, but then only good, when they assume the effects of that settled order, and are built upon it. But when men think that these beggarly contrivances may supply a resource for the evils which result from breaking up the foundations of public order, and from causing or suffering the principles of property to be subverted, they will, in the ruin of their country, leave a melancholy and lasting monument of the effect of preposterous politics, and presumptuous, short-sighted, narrow-minded wisdom.

The effects of the incapacity shown by the popular

leaders in all the great members of the commonwealth are to be covered with the 'all-atoning name' of liberty. In some people I see great liberty indeed ; in many, if not in the most, an oppressive, degrading servitude. But what is liberty without wisdom, and without virtue ? It is the greatest of all possible evils ; for it is folly, vice, and madness, without tuition or restraint. Those, who know what virtuous liberty is, cannot bear to see it disgraced by incapable heads, on account of their having high-sounding words in their mouths. Grand, swelling sentiments of liberty, I am sure I do not despise. They warm the heart ; they enlarge and liberalize our minds ; they animate our courage in a time of conflict. Old as I am, I read the fine raptures of Lucan and Corneille with pleasure. Neither do I wholly condemn the little arts and devices of popularity. They facilitate the carrying of many points of moment ; they keep the people together ; they refresh the mind in its exertions ; and they diffuse occasional gaiety over the severe brow of moral freedom. Every politician ought to sacrifice to the graces ; and to join compliance with reason. But in such an undertaking as that in France, all these subsidiary sentiments and artifices are of little avail. To make a government requires no great prudence. Settle the seat of power ; teach obedience : and the work is done. To give freedom is still more easy. It is not necessary to guide ; it only requires to let go the rein. But to form a *free government* ; that is, to temper together these opposite elements of liberty and restraint in one consistent work, requires much thought, deep reflection, a sagacious, powerful, and combining mind. This I do not find in those who take the lead in the National Assembly. Perhaps they are not so miserably deficient as they appear. I rather believe it. It would put them below the common level of human understanding. But when the leaders choose to make themselves bidders at an auction of popularity, their talents, in the construction of the state, will be of no service. They will become flatterers instead of legislators ; the

instruments, not the guides of the people. If any of them should happen to propose a scheme of liberty, soberly limited, and defined with proper qualifications, he will be immediately outbid by his competitors, who will produce something more splendidly popular. Suspicions will be raised of his fidelity to his cause. Moderation will be stigmatized as the virtue of cowards; and compromise as the prudence of traitors; until, in hopes of preserving the credit which may enable him to temper and moderate, on some occasions, the popular leader is obliged to become active in propagating doctrines, and establishing powers, that will afterwards defeat any sober purpose at which he ultimately might have aimed.

But am I so unreasonable as to see nothing at all that deserves commendation in the indefatigable labours of this assembly? I do not deny that among an infinite number of acts of violence and folly, some good may have been done. They who destroy everything certainly will remove some grievance. They who make everything new, have a chance that they may establish something beneficial. To give them credit for what they have done in virtue of the authority they have usurped, or to excuse them in the crimes by which that authority has been acquired, it must appear that the same things could not have been accomplished without producing such a revolution. Most assuredly they might; because almost every one of the regulations made by them, which is not very equivocal, was either, in the cession of the king, voluntarily made at the meeting of the states, or in the concurrent instructions to the orders. Some usages have been abolished on just grounds; but they were such that, if they had stood as they were to all eternity, they would little detract from the happiness and prosperity of any state. The improvements of the National Assembly are superficial, their errors fundamental.

Whatever they are, I wish my countrymen rather to recommend to our neighbours the example of the

British constitution, than to take models from them for the improvement of our own. In the former they have got an invaluable treasure. They are not, I think, without some causes of apprehension and complaint ; but these they do not owe to their constitution, but to their own conduct. I think our happy situation owing to our constitution ; but owing to the whole of it, and not to any part singly ; owing in a great measure to what we have left standing in our several reviews and reformatations, as well as to what we have altered or superadded. Our people will find employment enough for a truly patriotic, free and independent spirit, in guarding what they possess from violation. I would not exclude alteration neither ; but even when I changed, it should be to preserve. I should be led to my remedy by a great grievance. In what I did, I should follow the example of our ancestors. I would make the reparation as nearly as possible in the style of the building. A politic caution, a guarded circumspection, a moral rather than a complexional timidity, were among the ruling principles of our forefathers in their most decided conduct. Not being illuminated with the light of which the gentlemen of France tell us they have got so abundant a share, they acted under a strong impression of the ignorance and fallibility of mankind. He, that had made them thus fallible, rewarded them for having in their conduct attended to their nature. Let us imitate their caution, if we wish to deserve their fortune, or to retain their bequests. Let us add, if we please, but let us preserve what they have left ; and, standing on the firm ground of the British constitution, let us be satisfied to admire, rather than attempt to follow in their desperate flights the aëronauts of France.

I have told you candidly my sentiments. I think they are not likely to alter yours. I do not know that they ought. You are young ; you cannot guide, but must follow the fortune of your country. But hereafter they may be of some use to you, in some future form which your commonwealth may take. In the present

it can hardly remain ; but before its final settlement it may be obliged to pass, as one of our poets says, 'through great varieties of untried being,' and in all its transmigrations to be purified by fire and blood.

I have little to recommend my opinions but long observation and much impartiality. They come from one who has been no tool of power, no flatterer of greatness ; and who in his last acts does not wish to belie the tenor of his life. They come from one, almost the whole of whose public exertion has been a struggle for the liberty of others ; from one in whose breast no anger durable or vehement has ever been kindled, but by what he considered as tyranny ; and who snatches from his share in the endeavours which are used by good men to discredit opulent oppression, the hours he has employed on your affairs ; and who in so doing persuades himself he has not departed from his usual office : they come from one who desires honours, distinctions, and emoluments, but little ; and who expects them not at all ; who has no contempt for fame, and no fear of obloquy ; who shuns contention, though he will hazard an opinion : from one who wishes to preserve consistency, but who would preserve consistency by varying his means to secure the unity of his end ; and, when the equipoise of the vessel in which he sails may be endangered by overloading it upon one side, is desirous of carrying the small weight of his reasons to that which may preserve its equipoise.

ESTABLISHED 1798



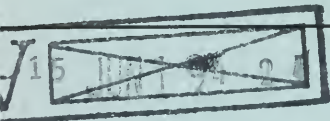
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